

## MERCED COUNTY NEEDS ASSESSMENT



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## EXECUTIVE SUMMARY

Merced County (County) is the 25th largest county, by population, in California. The Merced County Sheriff's Department (Sheriff's Department) operates two Type II jails. The Main Jail and the John Latorraca Correctional Center (JLCC), the Type IIs, comprise 734 beds. According to recent data, on any given day those facilities hold an average of 773 inmates, making the County's jail system (County system) the 22<sup>nd</sup> largest in the state.

The Sheriff's Department operates its detention system under a court order to eliminate crowding in the county detention facilities, forcing the early release of sentenced inmates and requiring re-prioritization and management of who should remain in custody. The Sheriff's Department has determined that releasing non-sentenced misdemeanants on citations and non-sentenced felons on their own recognizance are the best methods to comply with the court order to which the County stipulated its agreement, *Torres v. County of Merced 1993*.

On average, the Sheriff's Department releases 330 inmates each month to remain in compliance with *Torres v. County of Merced 1993*.

Since 2007, the County has commissioned two studies that, in whole or in part, assessed the Sheriff's Department's need for adult detention beds. Each study concluded there were insufficient beds to accommodate the current need. Based on data from the County, each study also projected the need for additional jail beds would continue for the near future without some substantial additions over time.

Statistical data shows the County's overall need to add jail beds. What it does not show are the problems created by changes within the system's average daily population (ADP):

- The number of inmates requiring protective custody housing has increased. Although the jails do not keep records of the number of protective custody inmates, that segment of the population has outgrown the capacity of the designated housing areas. Jail staff has determined that some inmates previously segregated from others in protective custody could, in some instances, be housed together in double-occupancy cells.
- The number of inmates with acute medical conditions and mental health disorders has increased. The Sheriff's Department determined that all inmates of this type must be housed at JLCC, where the highest level of medical and mental health care is available. Once there, many of these inmates require segregation, either for their own protection or to keep them from harming others. As a result, other inmates that would handle incarceration better in a single-occupancy cell have been moved into dormitory housing, as this is the only option for the County.
- Sexually violent predators have not passed through the Sheriff's Department jails in high volumes, but because of a statute requiring them to be segregated from inmates under criminal process and case law that requires jails to provide them with greater freedoms and privileges than others, it has



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been difficult for the Sheriff's Department to find appropriate housing locations for them. To meet these requirements, the best option is to displace other inmates.

Nothing in the research data indicates these trends may change, and nothing in the County's experience indicates changes in policy or operational practices can alleviate the pressure these specific types of inmates exert on the system.

The implementation of the 2011 Public Safety Realignment Act, Assembly Bill 109 (AB 109) increased pressure on the County's criminal justice system and the demand for detention and corrections services. This has impacted the County with additional overcrowding of existing facilities, as well as increasing the use of alternatives to incarceration in order to maintain the conditions of the population consistent with previous litigation settlements.

Further, the need is for more than just beds. Sheriff's Department reports and observation confirm that a lack of space for administration, staff work areas, delivery of health services, maintenance functions, and warehousing significantly impacts daily operations at all County facilities. In fact, the lack of adequate space for these functions is one of the County's biggest deficiencies. When planning any expansion or new construction of beds, County officials must acknowledge this deficiency and include sufficient space in their design to service the needs of a fully-occupied facility throughout its life.



## INTRODUCTION

The primary purpose of the Merced County Jail Needs Assessment (Needs Assessment) is to provide the County with sufficient information to decide whether to pursue applying for Senate Bill 863 (SB 863) funding to develop a new facility and secondarily, to enable the County to make informed decisions relative to long-range adult detention facility and program planning. Accordingly, this study addresses the State of California Board of State and Community Corrections (BSCC) Title 15 requirements and makes recommendations for responding to SB 863 construction funding.

The County released a request for qualifications/proposal in late May 2014 to hire a consulting firm to team with the County for jail planning services. CGL was chosen by the County to partner with them in this planning process. CGL and the County (team) have worked together through a collaborative environment to develop the County's long-term jail plan.

The Needs Assessment combines a large body of information from a diverse range of sources. It incorporates the considerable expertise and operational knowledge of Sheriff's Department personnel, supported by high-quality historical and current data on booking/arrests, types of inmates, length-of-stay, and types of services currently provided in the County jails. It also focuses on identifying the overall impact that the realignment initiative is having on jail operations and ADP levels.

Also documented are elements of the system, including current facilities, the physical plant environment with types and sizes of housing units, and current jail operational model/philosophy for managing several categories of inmates, classification system, programs, and staffing.

Beginning with an overview of the current system, the reader is led through the details of population demographics, operational procedures, physical plant and staffing, and compliance with standards. Step-by-step, a picture is built of the entire system, historical drivers for its operational philosophy, spatial allocation, and current population management model. In each section, the findings identify existing deficiencies and areas of improvement supporting the overarching concepts expressed in the final recommendation: The County needs to address the security and durability issues within the dorm units through remodeling the units, expansion of the kitchen and laundry facilities to support the facility as well as future expansion. Addition of a new medical clinic and medical/mental health treatment beds to support and ever growing population in jails that needs specialized care. It is also recommended that the County add the appropriate minimum levels of admin and intake/transfer/release space for a facility of this size to operate.

The Team is confident of the validity of these findings and in the resulting recommendation for a new facility—one that fulfills the Sheriff's Department's philosophical, design, and operational goals and provides it with the opportunity to deliver the extent of programming and services that will truly have a long-term impact on system overcrowding and recidivism rates. The JLCC site will be the cornerstone of a full correctional continuum guided by evidence-based principles and practices.





## **METHODOLOGIES**

This Needs Assessment has been developed, in part, as a requirement for seeking state funding under SB 863 – Request for Proposals: Construction of Adult Local Criminal Justice Facilities.

In recognition of the challenges brought to the California county jail systems as a result of the passage of AB 109, which transferred responsibility of housing certain offenders that were previously in the state prison system to their respective county’s adult correctional system, the state is making available, through the SB 863 construction financing program, grants of up to \$40 million for medium-size counties such as Merced County. The solicitation is intended to fund, “...any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population consistent with the legislative intent...”

The SB 863 Request for Proposals is a competitive procurement. It requires applicant counties to “... judiciously consider programming needs to manage the offender population” and expects that counties will “...consider a range of alternatives, while employing the least restrictive options [for housing offenders].”

The County makes a strong case for a successful proposal: The Sheriff’s Department has long recognized that incarceration, in and of itself, does not change an offender’s ability to succeed on the outside and has acted on that fact; it has been a leader statewide in creating alternatives to incarceration; it has amassed an extensive body of data to support its case; and it has proven that it can do a lot with a little.



## IMPACT OF AB 109

AB 109, also known as “Realignment,” has complicated the Sheriff’s Department’s population management plan. Under AB 109, the Sheriff’s Department is forced to house inmates for a longer period of time. Prior to AB 109, the average length-of-stay (ALOS) was **18 days**; in 2013 it was **25 days**. This number includes good work-time credit from the court (half their original sentence) as well as early release time. For the first six months of 2014, there were 80 inmates in custody sentenced to two years or more. The ALOS for these inmates is 1,122 days, or just over three years. In terms of custody, AB 109 required management to re-prioritize who would remain in custody, but it did not need to add positions to supervise them.

To meet the AB 109 mandate, the Sheriff’s Department needs to add positions to supervise and account for inmates released under AB 109’s new authority. The County has long operated numerous programs to keep low-end misdemeanants out of custody while fulfilling their sentencing obligations. After AB 109’s passage, the County programs were expanded. In 2013, the County unveiled a new one-stop shop to provide various services to County jail inmates released under the guidelines established by AB 109. The Trident Center will house multiple agencies: sheriff’s deputies and corrections officers, probation officers, and human services and mental health officials. Dubbed the “Trident Center” because of its three-pronged vision, the County hopes it will be a template for the rest of California.

The three prongs of the approach are public safety, reduced recidivism through rehabilitation, and alternatives to custody. After being released under AB 109, the inmates on electronic monitoring or home confinement often had to travel across town to access the various agencies that monitor and serve them. By bringing them to one destination the process becomes more effective.

In addition to the Merced County Probation Department (Probation Department) and the Sheriff’s Department, human services and mental health agencies will provide services in the Trident Center. A clinician and dual-diagnosis specialist will provide case management as well as drug and alcohol counseling. The Sheriff’s Department maintains the program is more cost-effective than incarceration. If kept inside a jail, costs to the County for each inmate are \$131/day, as opposed to \$17/day for AB 109 monitoring—a cost savings of \$114/day, they said.



## MERCED COUNTY DETENTION FACILITIES

BSCC Title 15 establishes different categories of jails:

- **Type I** jails are used for the detention of persons for no more than 96 hours (excluding holidays) after booking.
- **Type II** jails are used for the detention of persons pending arraignment, during trial, and upon a sentence commitment.
- **Type III** jails are used only for the detention of convicted and sentenced persons.

### Type I Jails

The County does not operate any Type I facilities.

### Type II Jails

The County operates two Type II facilities. The total number of beds in these jails is 907. Of those, 753 are BSCC-rated. The Sheriff's Department has determined the baseline for all analyses to be 753 beds.

The following includes more detail regarding the Sheriff's Department's Type II facilities.

#### Main Jail

Opened in 1968, the Main Jail has 192 beds, of which 189 are BSCC-rated. Non-sentenced inmates comprise the largest percentage of the jail's population. The Main Jail houses the most severe inmate classifications— those individuals who require the most secure conditions of confinement. Inmates receive food, clothing, medical care, recreation, and religious services here. Movement of inmates occurs regularly during the day, and maintaining a secure and safe environment is the primary objective.

The Main Jail is not a direct supervision facility; each of its housing units is built in a linear design and is not an efficient custodial floor plan. The floor plan requires officers to walk the linear bar-grille corridors to have any kind of visual eyes on the incarcerated. The design does not allow for clear lines of sight into housing areas from a central control room and provides relatively inefficient delivery of services to the inmate population.

#### John Latorraca Correctional Center

Opened in 1990, JLCC has 691 beds, of which 564 are BSCC-rated. Non-sentenced persons in custody comprise the largest percentage of the jail's population. JLCC houses the most diverse in-custody classifications. Inmates who require the most intensive medical or behavioral health care are housed at JLCC. Inmates receive food, clothing, medical care, recreation, and religious services here. Movement of inmates occurs regularly during the day in large volumes to and from the recreation yard. The facility has a linear design of 476 male and female dorm beds, along with one housing unit of cells for women and one for men.





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JLCC is not a direct supervision facility; each of its housing dorm units is built in a linear row design and is not an efficient floor plan for housing the diverse classification of “in custody.” The floor plan requires officers to walk the fronts of the dorm units, and many times to open the doors and walk into the dorm units to have clear sight lines. The design does not allow for clear lines of sight into housing areas from a central control room and provides relatively inefficient delivery of services to the inmate population. There is limited sight into male and female cell units from a central control room, leaving many hiding or blind spots in the cell units.

### **Type III Facilities**

The County does not operate any Type III facilities.



## **ELEMENTS OF THE SYSTEM**

### **Existing Merced County Correctional System**

#### **Introduction**

The Sheriff's Department currently operates and maintains two separate facilities as elements of its correctional system:

1. The Merced County Main Jail located at 700 West 22nd Street in Merced.
2. The John Latorraca Correctional Center (JLCC) located at 2584 Sandy Mush Rd. in El Nido.

Current BSCC-rated adult bed capacity:

- Main Jail: 189 beds
- JLCC: 564 beds



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Merced County Correctional System Living Space Usage

Facility	Rated Capacity per Room	Quantity	Rated Capacity	Size (approximate)	Cell Type	Usage	Classification
<b>Main Jail</b>		<b>189</b>					
<b>Intake Block</b>							
Single Cell	5	1	5		Single Cell	Ad-Seg	
Inmate Worker Dormitory	20	1	20		Dormitory	Min	
<b>1 Block</b>							
Single Cell	1	4	4		Single Cell		
8 Bed Cell	8	4	32		8 Bed Cell		
<b>2 Block</b>							
Single Cell	1	4	4		Single Cell		
8 Bed Cell	8	4	32		8 Bed Cell		
<b>3 Block</b>							
8 Bed Cell	8	6	48		8 Bed Cell		
<b>4 Block</b>							
8 Bed Cell	8	6	48		8 Bed Cell		
<b>Total</b>			<b>193</b>				
<b>Court CAP</b>			<b>189</b>				
<b>John Latorraca Correctional Center</b>							
<b>Building 1</b>							
Womens Housing	2	18	36		Double Cell	Lock Down	
Male Housing	2	24	48		Double Cell	Lock Down	
SHU Housing	1	4	4		Single Cell	Lock Down	
<b>Building 2 (Kitchen / Laundry)</b>							
<b>Building 3 (Womens Dorm )</b>	3	20	60		Dormitory		
Womens Dorm							
<b>Building 4 (Mens Dorm)</b>	6	20	120		Dormitory		
Mens Dorm							
<b>Building 5 (Mens Dorm)</b>	6	20	120		Dormitory		
Mens Dorm	2	18	36		Dormitory		
<b>Building 6 (Mens Dorm)</b>	7	20	140		Dormitory		
Mens Dorm							
<b>Building 7 (Warehouse)</b>							
No Beds							
<b>Building 8</b>							
No Beds							
<b>Total JLCC</b>			<b>564</b>				
<b>Total Merced Correction System</b>			<b>753</b>				



### Appropriate Beds Required

This study indicates that there is a need to consolidate the functions and bed count of the antiquated Main Jail with the JLCC site. Currently, there is a need for 270 additional beds in the system, for both in-custody and out-of-custody. The concept is to plan for a “continuum of care” approach for the current inmate population

There is also a need to bring into line the proper type of in-custody sleeping areas with the type of inmates that are in the County system.

Based on the available distribution of beds by classification custody levels and the existing housing units, it is evident that there is a lack of appropriate housing for moderate (Mod), high-risk non-violent (HNR), and high-risk violent (HR) offenders. The Main Jail has a total of 189 beds are suitable for Mod, HNR, and HR inmates.

While the JLCC has 564 beds, there are 476 dormitory-style sleeping areas, most with 20 beds per dormitory. The Main Jail has 13 single cells and JLCC has no single cells. With most of the current low-risk inmates in alternatives to incarceration programs, there is a lower need for in-custody minimum security beds.

### Merced County Corrections System

Average Daily Population vs. Rated Capacity

	2009	2010	2011	2012	2013	2014
ADP	1102	1005	926	858	918	1122
Rated Beds	753	753	753	753	753	753
Percentage of Rated Capacity	146%	133%	123%	114%	122%	149%

The chart above shows the crowded conditions the County system has been operating under for the last six years. These crowded conditions have forced the County to release most pre-trial inmates charged with misdemeanor violations via cite and release, book and release, or post-arraignment on own recognizance. Selected inmates are quickly moved to home arrest, alternative sentencing programs, work-in-lieu, or similar out-of-custody programs such as work furlough run by the Sheriff’s Department.



## Identified Need

The County's jail facilities have either reached the end of the building life cycle, as in the case of the Main Jail, or are coming very close to end of the life cycle, as is the JLCC. The Sheriff's Department has determined that the antiquated Main Jail needs to be shut down, the infrastructure is post-salvageable, and the dysfunction of the jail layout creates problems in creating a manageable and safe environment for the staff and in-custody. The location of the JLCC and design layout, although outdated from a management standpoint, can still be a great solution for the County if the proper upgrades are done to the facilities. The Facility Condition Assessment of JLCC shows that almost all of the major systems need to have substantial upgrades and replacements done. The County is willing to invest the money into bringing these systems up to date, allowing for expansion at JLCC and providing a long-term solution to the County's housing problems.

The Jail Master Plan will create housing units organized in a manner for appropriately classified inmates to be housed together. Each housing unit will be adjacent to both program spaces and exercise areas, minimizing inmate travel. Housing units configured in this manner will have the following positive impacts:

- Individuals will be housed together based on classification.
- Individuals housed together will learn together.
- The entire facility will be seen as a learning environment and a continuum of care will be realized.
- Redevelopment of the current JLCC design layout will support the County's long-term housing solutions.

The needs identified within the County system are:

### 1. Housing

- a. **Single-Occupancy Cells:** Designed to house one inmate, the cells have a bed, toilet, sink, and table with an attached chair. Classification or disciplinary issues require that some inmates are housed alone. The most problematic in terms of finding appropriate housing locations have been those in protective custody, those who display non-violent but non-conforming behavior, the assaultive mentally ill, and those requiring disciplinary isolation.
- b. **Double-Occupancy Cells:** Equipped to house two inmates, the cells have two beds, a toilet, sink, and table with an attached chair.
- c. **10-Bed Sleeping Rooms:** In housing units, the cells have community restrooms and showers located near the living areas.
- d. **Dayrooms:** Common areas located inside the housing location, dayrooms contain tables with attached chairs for meals and recreation purposes, a television, showers, toilet areas, and telephones. Further, dayrooms serve as programming areas where religious services, substance abuse counseling, and other similar group activities may occur. In response to the growing emphasis on programming, dayrooms should be large enough to accommodate groups involved





in legitimate rehabilitative or therapeutic activities. In addition, there will be program spaces and exercise areas with access from the dayroom.

- e. **Intake Housing:** For all offenders that are booked into the facility, this housing unit will contain single-occupancy cells with maximum security-type design fixtures, as well as 10-bed cells. It will be a self-contained unit constructed, designed, and operated under principles of direct supervision so as to provide appropriate inmate management, maximize staffing efficiency, and support positive interaction between staff and inmates geared toward supporting the risk assessment process. An adequate number of Americans with Disabilities Act (ADA) beds will be provided within the unit.
- f. **Women's Housing:** For all women offenders, this housing unit will contain double-occupancy cells and 10-bed cells and will be a self-contained unit, constructed, designed, and operated under principles of direct supervision so as to provide appropriate inmate management, maximize staffing efficiency, and support positive interaction between staff and inmates geared toward positive behavioral change. An adequate number of ADA beds will be provided within the unit.
- g. **Medical and Behavioral Health Housing:** For minimum-risk, moderate-risk, high-risk non-violent, and high-risk violent offenders, this housing unit will contain double-occupancy cells (that can be used as a single-occupancy cell), 10-bed cells, and two single-occupancy soft-cell rooms. The unit will be self-contained and constructed, designed, and operated under principles of direct supervision so as to provide appropriate inmate management, maximize staffing efficiency, and support positive interaction between staff and inmates geared toward positive behavioral change. An adequate number of ADA beds will be provided within the unit. The dayroom will have a nurse's station, as well as a custody officer station. The dayroom will also have hand wash stations outside of every sleeping room and will meet the code requirements for a health and behavioral health environment.
- h. **Maximum Security Housing:** For high-risk non-violent and high-risk violent offenders, this housing unit will contain single-occupancy cells with maximum security-type design and will be a self-contained unit, constructed, designed, and operated under principles of direct supervision so as to provide appropriate inmate management, maximize staffing efficiency, and support positive interaction between staff and inmates geared toward beginning a process toward positive behavioral change. An adequate number of ADA beds will be provided within the unit.
- i. **Medium Security Housing:** For moderate-risk offenders, this housing unit will contain double-occupancy cells, be a self-contained unit, and will be constructed, designed, and operated under principles of direct supervision so as to provide appropriate inmate management, maximize staffing efficiency, and support positive interaction between staff and inmates geared toward positive behavioral change. An adequate number of ADA beds will be provided within the unit.
- j. **Minimum Security:** For minimum-risk offenders, this housing unit will contain double-occupancy cells, will be a self-contained unit, and will be constructed, designed, and operated under principles of direct supervision so as to provide appropriate inmate management, maximize staffing efficiency, and support positive interaction between staff and



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inmates geared toward positive behavioral change. An adequate number of ADA beds will be provided within the unit.

- k. **Intake/Release/Processing:** The new intake/release/processing will be the largest in the County. All offenders will be processed through this area. Booking, risk assessment, health and behavioral health assessment, educational assessment, and cognitive behavioral assessment will all start in this area. The space should be adjacent to intake housing, and it will also contain holding cells, group holding cells, safety cells, and sobering cells. There will be the addition of property rooms, showers, and interview rooms. The table below reflects statistics on bookings through December 2013.

Needs Assessment - Jail Data								
Jail Admissions Information								
	Male Inmates	Female Inmates	Felony Pre-Trial	Felony Sentenced	Misdemeanor Pre-Trial	Misdemeanor Sentenced	Other Offenses	Monthly Inmate Total
Jan-13	553	154	318	156	200	53	93	860
Feb-13	619	130	260	131	189	71	98	749
Mar-13	716	175	333	138	224	105	91	891
Apr-13	733	262	288	155	255	95	99	895
May-13	684	132	302	147	241	56	90	836
Jun-13	669	137	277	165	208	57	89	806
Jul-13	654	169	250	214	208	81	104	863
Aug-13	695	157	244	194	231	74	109	852
Sep-13	589	133	200	175	196	69	82	722
Oct-13	652	136	243	195	161	74	95	788
Nov-13	614	148	244	165	210	53	88	762
Dec-13	568	142	229	128	203	52	68	720
Year Totals	7929	1805	3194	1963	2549	922	1106	9734

- l. **Visiting:** Currently located in the administration building, there are 13 non-contact visiting stations at JLCC. The Jail Master Plan will locate the visiting area. The visiting area should be adjacent to the public entry at the front of the facility. The visiting area will contain video visiting. Non-contact and contact public visiting will be provided in support of family contact and reintegration. Video and non-contact visitation will be the primary method used for visitation. However, as a component of the incentive system that will operate within the new minimum security unit, inmates will be able to earn points toward certain privileges, such as contact visitation. Visitations at the facility are scheduled and happen regularly throughout the week, all inmates can receive visits at their scheduled time
2. **Program Space**

The Sheriff's Department has embraced the idea that to create and maintain an efficient and effective jail system, there needs to be a continuum of care offered to all offenders that process through the system. In the past, reentry and rehabilitation programs were offered more in state facilities rather than county facilities. In the past, most inmates in the County system were pre-trial inmates awaiting trial or sentencing. Now, with the effects of AB 109 being experienced, the County's jails have 80% post-sentenced inmates.



The need to have a vibrant continuum of care approach, including reentry and rehabilitation programs, is apparent and is a goal of the Sheriff's Department. To accomplish this goal, the following will be required:

- Adequately sized and appropriately located spaces
- Redevelopment of the JLCC from a concept with centralized program spaces to a facility concept that features self-contained-type housing units with program and support services located adjacent to the housing units
- Appropriate staffing levels for supervision
- Partnerships with other County agencies and volunteer organizations

In recognition of the positive results of increased inmate responsibility, personal wellness, education, recovery, and pro-social skills, a variety of program spaces will be provided at both centralized and decentralized levels and could be configured from both new and existing space.

Decentralized program spaces will be provided at the housing unit, including study carrels and a separate program room. Activities that will occur in these spaces include adult education, religious services and counseling, Alcoholics Anonymous and Narcotics Anonymous classes, behavioral health evaluations and classes, and other programs to reduce recidivism.

Centralized spaces will house special equipment that is costly or impractical to have at every housing unit, such as dental equipment or vocational training activities that can be co-located with support services (e.g., culinary arts, warehouse management, and grounds management).

### **3. Medical and Behavioral Health Services**

Medical and behavioral health screening begins in the booking area. Medical intake interviews are conducted in the open at a bench in the booking area without privacy. Acute medical issues are often turned away at intake, and either the arrestee is taken to the hospital and brought back when they are at a point that the medical needs can be managed at the jail or they are booked and released if the arrestee's crime is such that they can be released. If the arrestee is booked into the County system, they will be seen again in 10 days for TB and health inventory.

Currently, the layout of JLCC does not allow for an efficient sick call process. Inmates are moved to the yard at JLCC for sick call. 90% of sick calls are made by the registered nurse at the housing units. Sick call is never done at the dorms. A sick call request slip is taken by the nurses at the dorms when they do medication pass. All inmates are taken to medical for actual sick call once they are placed on the list. Many times, this sick call occurs right outside the front doors of the dormitory housing units, outside in the open environment. This process inhibits confidentiality, and the elements can sometimes cause delays in the sick call process.

Medicines needed at the facility are ordered and delivered via commercial shipping companies. After receiving, the items are pre-poured into envelopes with inmate photo and identification on



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the envelope. Meds are then put on a cart and delivered to the appropriate inmates by housing areas. To receive meds, the inmate needs to show their identification band. Medicines are passed out twice a day; currently this process is an effective way to pass meds.

In the County's jails, 150-200 inmates require meds. Requirements broken down by facility are as follows:

- Main Jail: 20%
- JLCC: 30%
- Behavior health meds: 15% at the Main Jail and 15% at JLCC

The County is providing "tele-pysch" programs at JLCC and the Main Jail. These programs could be enhanced by providing areas of acoustical privacy where in-custody receive these services. Safety cells within the housing units would help manage the mental health population.

Dental services are currently only available at the Main Jail. With the bulk of the inmate population at JLCC, the County system would benefit from having their own dental service located at JLCC, removing the costs to transport inmates to and from the Main Jail for dental. The cost savings in transporting inmates back and forth alone would pay for the dental expansion cost in a few years.

Ambulance service at JLCC is at least 25 minutes away. When the ambulance arrives at JLCC, they usually drive to the location closest to the inmate needing services. With ambulance service being quite a distance away, the County would benefit from creating a central ambulance evacuation point, allowing on-site medical staff to perform lifesaving or medical functions in a controlled area and not wherever the inmate is located at the time of emergency. Transportation of inmates via a small, electric ambulance vehicle with necessary equipment for safe medical transportation over short distances would significantly improve the medical evacuation process.

There is a major need in the County system for behavioral health interview rooms with a safer layout for the staff that needs to go in and interview the inmates. Currently, staff and inmates enter through the same door, and numerous times staff must wait to be let out of the rooms when they are done with evaluations. A new layout with separate staff and inmate entries would allow for less inmate movement in a public area and create a more efficient and safe environment for the staff.

There is a huge need for a central health services area at JLCC that would contain dedicated medical/mental health beds, pharmacy management, and inmate health management activities. When providers "go to" the inmate, medical and mental health services are much more efficient. The current housing design is lacking a proper triage/exam room. Currently, medical/mental health waiting space is very limited, so you only have a couple inmates waiting with officers who have to go back to their housing units before more inmates can be brought to the medical area. This transportation activity to and from housing is very time consuming and staff intensive.

#### **4. Exercise and Recreation**



Currently, there is one outdoor exercise area on the first floor of the Main Jail used by all 189 inmates. Inmate safety and management dictates the schedule of this space. The result is that the space is not effective or efficient. Inmates are regularly being escorted to this space in relatively small groups or individually in response to risk assessment classification.

The campus plan of JLCC has six exercise spaces for 564 inmates, generally located in a centralized area. This location dictates that all inmates need to be escorted on a somewhat long and time-consuming walk. Inmate safety and management dictates the schedule of this space. The result is that the space is not effective or efficient. Inmates are regularly being escorted to this space in relatively small groups or individually in response to risk assessment classification.

There is a need for exercise areas to be located adjacent to the housing units. This will help both the inmates and the staff and their relationship with each other.

The inmates will have a good amount of time to exercise their bodies and release negative feelings about the 'jail experience.' The staff will be relieved of escorting the inmates and will have more time to do more productive activities. Over time, the connection between the staff and inmates will evolve to a less aggressive and less negative relationship.

#### **5. Attorney and Confidential Interview Rooms**

There is a need to have rooms that allow inmates to speak privately with an attorney or other authorized person. Confidential interview rooms need to be located in areas that can be easily accessed by visitors and inmates. It is problematic for officers to walk inmates to confidential interview rooms, and having visitors inside the secure area of the jails presents security concerns. It is a time-consuming process, because staff needs to prevent the co-mingling of inmate classifications. Inmate movement should be minimized, and inmates would be interviewed in their own housing unit when security concerns have been addressed. This often requires stopping all movement in the facility so that these inmates (whether high-security, protective custody, or otherwise) can be moved without jeopardizing their safety or that of others, because such movement often occurs across relatively long distances.

The use of video conference technology should be considered to address facility security and inmate movement concerns.

#### **6. Central and Other Control Rooms**

Currently, the control panel at JLCC is being upgraded. This new panel will be incorporated into a new control room that will monitor and control the following functions:

1. Perimeter security
2. Vehicle sallyport
3. Major secure pedestrian and vehicle traffic controls
4. Fire and life safety





**7. Administration**

Essentially offices inside jails, some administrative areas are in the secure parts of the jail, while others are accessible to the general public and comprise the work space of management, supervisory, and support staff. These areas retain important documents and information. These areas need to be large enough to accommodate personnel, desks, filing cabinets, work areas, computers, and conference rooms.

Corrections litigation becomes more costly to public agencies as the requirements to maintain critical records are more stringent. Original copies of inmate injuries, grievances, and disciplines must be retained longer, requiring more storage space. Whether the records are kept in administrative offices or in warehouses is a decision for jail managers. Whatever their decision, sufficient space should be added in the appropriate areas to account for this change in practice.

**8. Public Areas**

In the Type II jails, public areas are similar in that each is the location where people come to deposit money into inmate trust accounts, where bail is transmitted to jail staff, where visitors check-in prior to their appointments, and where families and others (who choose to) wait for friends or family to be released from custody.

Purses, bags, and other personal containers are no longer allowed into visiting areas. This requires visitors to either leave these items in their vehicles or secure them in a locker in these public areas.

**9. Kitchen/Food Service**

Currently, the JLCC creates 3000 meals/day. This is the maximum number it can provide. The kitchen is outdated and needs a "total overhaul." The ovens were last replaced in 2005; the tilt braziers are in need of replacement. All equipment should be on casters to be movable so that the kitchen can be totally cleaned. There is no central dining anymore. All food is delivered in "hot boxes and cold boxes." The kitchen has no bakery; therefore, they buy all baked goods. Working in the kitchen is considered an incentive because they get better food. There is an outside freezer unit. All dining functions are at housing units. The old dining room is used for video arraignments. The dry storage is the right size, but there is a need for steel shelving. With a newer larger kitchen the Jail would like to add a culinary education program to allow for inmates to receive certification in food services.

**10. Laundry**

The Main Jail has its own Laundry. The JLCC and its neighboring juvenile facility share the JLCC Laundry. Currently, they use two sets of inmate clothing but would rather have three sets (one being used, one being laundered, and one being shelved). The JLCC laundry is in the same environment as the kitchen (which is not considered a very good location). The laundry is undersized, and there is no room for expansion. The laundry equipment needs replacement.

**11. Warehouse**

The existing dock area is not functional, but they are "making do." The big issue is that there is not



an elevated dock, so a “steel bridge” is employed to unload large delivery trucks (semis). The warehouse is too small and not an efficient layout. The main issue is that since they use heavy-duty, elevated steel shelving, often they have to move items (that have already been unloaded off of a pallet) to retrieve an item behind that item. There was a comment that it would make sense to be able to unload semi’s and deliver product by just using the forklift equipment.

#### **12. Receiving Space**

The booking area for men is in the Main Jail, and the booking area for women is in the JLCC. The new intake/release/processing area will be used for all intake functions, including booking and inmate reception from other facilities. It will also be used for inmate release. It will be located adjacent to the vehicle sallyport and public visiting area.

#### **13. Maintenance and Storage Space**

Maintenance areas are workshops for mechanics, plumbers, and electricians. The current maintenance area is appropriately sized for a facility of this size. The area could be reconfigured to be efficient and allow for better use of the space.

#### **14. Secure Perimeter**

Currently, there is a perimeter security fence configured as a single fence system. This system creates a perimeter fence line that is integrated into some of the buildings. This allows access to some of the facilities from the “outside.” These buildings include: Building 1 (administration, central control, intake, and lock down housing), Building 2 (food service and laundry), and Building 7 (warehouse). Once there is a secure perimeter around the entire facility the Jail would like to look into developing a vocational warehouse program so that inmates could receive training and certification to operate a folk lift.

#### **15. Vehicle Sallyport**

There is no vehicle sallyport. There is vehicle access through the fence on the north edge of the site. There is a need for a vehicle sallyport that would be monitored by central control and manage vehicle access through the sallyport. The identified need is to locate the sallyport for vehicle access to a new intake/release and process area, medical evacuation, firefighting access, and warehouse deliveries.



## OPERATIONAL AND DESIGN PHILOSOPHY

### Overview of Operating System

The Sheriff's Department manages and operates two correctional facilities for the County, being responsible for the secure confinement and care of all persons arrested by local law enforcement agencies and delivered to the Main Jail and for all those individuals who have been sentenced to serve time in the County jails.

**Mission:** The mission of the Merced County Sheriff's Department, concerning corrections, is *"We will maintain correctional facilities and operate correctional programs in the most efficient and effective manner possible."*

### System's History of Crowding

Two years after the formation of Merced County in 1855, the Snelling courthouse and jail were built. The courtroom and judge's office were on the upper floor and the ground floor contained the cells, which are still there. Behind thick sandstone walls, there are several small cells with wood doors. Iron rings are bolted to the floors, which have attached heavy chains and shackles. The window openings have never held glass, and there are strap iron grates over both the interior and exterior openings.

The County's system has been overcrowded since 1940. Every bed added to the system has satisfied the backlog of inmates for a short period of time. Typically, when the new additions were completed they became immediately full.

### Main Jail

Built in 1968, the Main Jail replaced existing overcrowded facilities. In 1994, the Main Jail was remodeled: Additional holding areas for booking and sobering cells were added and visiting and inmate transportation functions replaced vehicle areas, including the vehicle sallyport. The rated population of the remodeled Main Jail was 184. In 2007, the Sheriff's Department re-evaluated the calculation of bed space at the Main Jail and added 7 beds. Currently, the rated capacity is 191 beds. Because of overcrowding, a federal court mandate in 1993, *Torres v. County of Merced 1993*, limited the population at the Main Jail to 172 beds.

### John Latorraca Correctional Center

Originally named the Merced County Adult Correctional Facility, the JLCC was built in 1990 and was designed to house 370 inmates in an open campus setting. There were 18 cells for women and 22 dormitories with 16 beds each, with centralized classrooms and recreation spaces. The original design of JLCC was for minimum and medium security inmates. At the time of design, this facility was considered very effective and efficient for that inmate classification (male misdemeanants, male felons, and female offenders).



Today, a drastic paradigm shift has occurred, and the JLCC population is mostly medium and maximum security inmates with most housed in residential-quality dormitory settings. Due to reclassification in 2004 and 2007, the JLCC capacity was raised to 608; 80% of that population was inmates awaiting adjudication. The original design of centralized programs, services, and exercise/recreation spaces is now very difficult to manage. With the proliferation of criminal street gangs and prison gangs, there are now at least 20 different classifications, with associations always changing. The management of the housing is very challenging. For example, the open yard was previously available to most of the original 370 inmates daily. Due to contemporary classification realities and approved BSCC-rated bed capacity of 564 beds, only one group can use the exercise area at a time. The result is that most inmates are confined to the housing dorms most of the day, isolated from not only exercise/recreation spaces but all programming and service functions. The result is that, for the most part, inmates cannot be offered programs that could make a difference in their lives and improve our communities.

### **Design**

The antiquated 1968 Main Jail was designed as a linear design with indirect supervision. There are very limited spaces for programming and inmate services. The Sheriff's Department believes, as do most jail administrators across the country, that linear designs are far less efficient than some form of a direct supervision podular design.

By 1990, the Sheriff's Department philosophy on jail design had changed, and the design of JLCC clearly reflects that change. The JLCC is a campus design with access for minimum and medium security inmates from their housing dorms to centralized programs and services.

The JLCC has devolved into a facility that is dysfunctional. Over the years, because of overcrowding, the County has intensified their alternatives to incarceration programs for both pre-trial and post-sentenced offenders. Because of this, there are fewer and fewer low-risk inmates and more high-risk inmates in the system. Thus, the population at JLCC is totally different than what it was designed for. The interior and exterior were built for a less abusive population, and the current condition of the facility reflects this reality as well.

There is a commitment from the County to totally overhaul their correctional facilities in light of the outdated conditions of the Main Jail and the dysfunctional condition of the JLCC.

The vision for the County's correctional facilities is to close the Main Jail and to repurpose JLCC. This project will lay the foundation for an effective and efficient correctional system that will be safe and secure.

The recommended approach for adding beds is with a podular design. This approach will allow staff to have clear lines of sight to inmates. The concept is to require services to be delivered to the inmates in or near their housing units, so inmate movement over long distance is reduced. The demand on custody staff to perform duties outside of their units is reduced. The environment is safer, because the



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opportunity for conflict or circulation of weapons or drugs is limited with the reduced movement of inmates. In addition, staff's availability to interact with inmates and monitor their activities in the units is increased.

The Sheriff's Department seeks to manage the inmates in a safe and secure manner by utilizing both indirect and direct supervision where applicable. Furthermore, the Sheriff's Department understands that designing jails as human warehouses is passé and has proceeded with implementing evidence-based practices by offering enhanced programming and services for its inmates. A detailed description of all program offerings is outlined in the program needs section of this Needs Assessment.

The Sheriff's Department is focused on providing customer service-oriented evidence-based practices and believes the inmate is the customer. This approach will create lasting and sustainable change.

### **Continuum of Care**

The planning approach of the Jail Master Plan will incorporate a continuum of care concept from booking and intake to pre-trial and through to sentencing and post-sentencing. Every inmate will have an individualized plan that includes the following components: medical health, behavioral health, dental health; vocation, education, and employment programs (VEEP), and life skills. The concept is to create a place that is a learning environment where individuals can "live together and learn together." This is anticipated to be successful and to evolve into a very functional and helpful environment.

### **Continuum of Care Design Goals**

The mission of the continuum of care approach is to address individual needs for a quality rehabilitation experience and a seamless reentry. One aspect of this approach is to integrate tangible incentives for an individual's graduation from one level to the next. These incentives would be known and understood by all inmates as something they can earn. Some of these incentives would be the living and learning environment itself.

This program will be the transition into the community that has been lacking due to overcrowding and lack of program access. Having programming and service spaces easily accessible directly from the housing area will offer the inmates the best opportunity to participate and succeed. The new facility will support the provision of in-custody programming and services that link inmates to community-based providers.

Based upon this operational philosophy, the specific design objectives of the new, state-of-the-art reentry facility housing component and programming spaces are discussed below, organized along a series of guiding principles that serve as the foundation for the proposed facility's operational mission and design approach. These guiding principles are categorized under five major themes:





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**1. Appropriate Environment**

- Requirements for security, safety, and control will be matched to the population to be served and to their security level. There will be a difference for maximum, medium, and minimum housing. Each will have a podular, direct supervision-type layout with sleeping areas surrounding a dayroom.
- Maximum security sleeping areas will be single cells with a stainless steel toilet/sink combination unit, built-in bed and desk, and storage shelves with steel swinging doors. These will be provided in intake/reception housing and special needs housing.
- Medium security sleeping areas will have double-occupancy cells with a stainless steel toilet/sink combination unit, built-in bed and desk, and storage shelves with steel swinging doors.
- Minimum security sleeping areas will be in 10-man sleeping rooms.
- The facility will be a welcoming, friendly face to the visitors and the surrounding community, i.e., a “good neighbor.”
- Adequate lighting, enhanced natural light in the housing units, views to the outside, and direct supervision will be provided from the point of admissions.
- The facility will be residential-like construction, including individual unlocked rooms and movable furniture.

**2. Safe and Secure Environment**

- Compliant with the requirements of Title 24 of the California Code of Regulations, best practices and modern standards of operations (i.e., American Correctional Association, Americans with Disabilities Act)
- Podular design direct supervision housing unit that affords clear lines of sight for optimal visual supervision
- Well-defined secure perimeter, easy-to-supervise spaces, distinct public and staff entrances and circulation paths, and secure spaces for contact, non-contact, and video visitation
- Maximized operational efficiencies through the use of best security electronics and technology available and consolidated central control functions

**3. Rehabilitative Environment**

- Individualized case treatment plans through evaluation, treatment, monitoring, and assignment to appropriate programs and services
- Provision of a wide variety of programs and services designed to reduce idleness, increase productivity, and reduce recidivism
- Adequacy and variety of dedicated programming and support spaces for program staff, community providers, other professionals providing services, and volunteers
- Appropriate, varied spaces for family visitation to support successful reintegration

**4. Professional Work Environment**

- Normative and user-friendly environment for the facility personnel
- Ongoing training and education
- Adequate support spaces for administrative, custody, and service providers



#### **5. Sustainable Environment**

- Cost-efficient to build through maximization of existing resources and infrastructure and to operate by providing all necessary support (laundry, kitchen, adequate storage) and health care services (medical and mental health spaces) to reduce the need for deliveries and transportation outside the facility
- Staff-efficient layout with no additional staff expected as a result of the planned housing and programming additions
- Energy efficient and environmentally friendly to reduce operating costs

#### **Medical/Mental Health Care Space**

It is envisioned that there will be a central medical/behavioral health services area near the booking/intake area to manage patients' accounts and to store and prepare medicines for delivery, as well as an exam room. In addition, there will be a private interview room with separate access for the clinician and the inmate. This is where the inmates' health records are initiated. There will be decentralized multi-purpose health rooms near every housing unit. This is where the inmates' health inventories are maintained, as well as serving as triage when required.



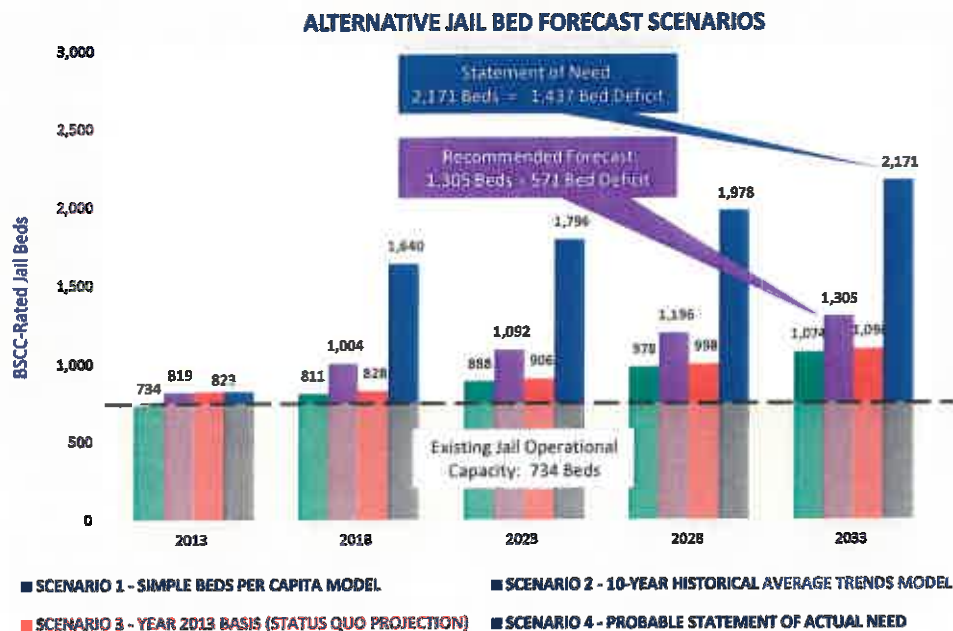
## CURRENT INMATE POPULATION

The team developed four alternative jail bed forecasts for the County system with the intent of providing a logical range of jail bed demand that could occur, depending on County policies and its ability to provide funding to meet forecasted demand.

**Based on the analysis and rationales that will be discussed below, the team recommends that the County adopt a forecast that calls for the bed capacity to increase from its current level of 734 beds to a minimum of 1,004 beds by the year 2019 (equating to a net need of 270 additional beds), which will further increase to 1,305 beds over the next 20 years (equating to a net need of 571 beds).**

This forecast is based on what is believed to be the likely ability of the County to fund and operate a jail system expanded to meet this need, and that the County will continue in its efforts to increase the use of alternative incarceration programs for offenders and to implement potential new programs geared towards reducing recidivism rates and diverting people away from the detention system.

*Exhibit 1: Alternative Jail Bed Forecasts*



As shown in Exhibit 1, the four alternative projections provide a wide range of forecasted bed demand. These variances are because the high forecast is intended to provide a probable perspective on actual unconstrained need versus the lowest forecast, which is based on the assumption that at a minimum the County should be able to afford operating a jail system at its current funding per County population capita levels. Additionally, each of these forecasts is based on historical service demand trends



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experienced over the previous decade and on different (yet interlinked) sets of assumptions, as will be explained below.

First however, we will address current conditions within the County system and historical service demand trends that have served as a significant part of the basis for the development of the projection models.

### **Current Conditions**

As of month-end July 2014, the County's jail system had a combined 753 BSCC-rated beds located within two facilities: the Main Jail (189 rated beds) and the JLCC (564 rated beds). However, 19 beds in the Main Jail cannot be used due to a federal court order. Hence, there are only 734 beds available to legitimately house prisoner demand.

Although there are currently 817 beds (64 more beds than for which facilities rated), these beds are not used except only temporarily during very high periods of demand, until jail staff can obtain court orders for additional early releases. At the direction of the BSCC, the County is in the process of reducing all but two standard housing units down to 20 beds each. Once this is complete, all 64 non-rated beds will be no longer. Therefore, the BSCC-rated 753-bed capacity and 734-bed operational capacity of the jail are not expected to change unless new facilities are developed.

Meanwhile, the ADP for these two facilities during the stated time period was 773. Therefore, the jail operated at an average of 39 beds, or 105% of its BSCC-rated capacity during that month. To deal with this overcrowding, especially during peak periods, it is typical that 35-40 prisoners are housed in the booking and holding area on any given day, while others are routinely cited and released at the court's direction.

Considering that modern jails are considered "full" when the population reaches 90% of capacity (due to prisoner turnover and because of the need to segregate the many types of prisoners (gender, special needs, gangs, etc.)), the jail could be considered to have an effective operational capacity of 660 beds. Using this figure, the jail essentially operated at 117% of capacity, or stated otherwise, had a net deficit of 113 beds, *exclusive* of higher levels that occur during peak jail demand periods.

### **Jail Bed Forecasting Methodology**

The processes used to develop forecasts of future jail bed demand included (1) developing a series of alternative booking projections founded on logically selected historical booking per capita trends, (2) selecting specific booking forecasts based on supporting rationales, (3) developing alternative ADP forecasts by applying the selected bookings forecast to several historical and assumed average length-of-stay (ALOS) durations, (4) accounting for cite and releases by patrol officers/deputies in the field, (5) accounting for early releases from the jail, which have resulted in historically undercounted populations, and (6) including a realistic operational and daily peaking factor.



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### **Data Caveats and Assumptions**

It is important to recognize that the County is just now beginning to understand the full impact of absorbing AB 109 inmates into the County's justice system as well as incorporating the slight impact of Proposition 47. Hence, it is imperative that the most recent trends being experienced be included and emphasized in the analysis. Further, in 2012, the County migrated to a new software system used to track those in custody, which has resulted in differences in the how data was captured and inconsistencies between pre-2012 versus 2012 data and beyond. Wherever possible, the team has considered these factors in its analyses, and indeed, the ADP figures for years 2011-13 involved varying degrees of interpolation, but should be reasonably accurate for the purposes of this analysis.

### **Jail Service Demand Forecast**

#### **Bookings Forecast**

#### **Summary**

The team developed four alternative jail bookings forecasts that postulate a logical range of jail booking demand that could be expected between year-end 2013 and 2033. These forecasts were generated by multiplying varying historical annualized booking rates per 1,000 County population against future County population levels. One forecast is intended to demonstrate actual unconstrained demand, while the remaining three are intended to provide perspective using (a) long-term, historical 10-year averaged rates, )b) pre-AB 109 era averaged rates, and (c) averaged annualized rates that have occurred since the implementation of AB 109. Each of these forecast methodologies will be discussed in further detail in the paragraphs below.

Exhibit 5 provides a synopsis of these bookings forecasts versus population and the overall trends that occurred over the last 10 years. As shown, County population should increase by 155,126 persons, or 67% over the next 20 years. Three out of the four projection scenarios assume that the most recent sharp drops in bookings are an anomaly, most likely due to the influx of AB 109 inmates re-entering the County system and resulting in longer ALOS, from which the County is still in the process of responding in terms of striving to increase jail bed capacity. The fourth scenario is based on the assumption that the booking rate for the last full year that data was available (year 2013) remains constant relative to County population growth, and that the County will only be able to afford the most minimum of jail bed development that would only allow it to maintain the status quo given future County population growth.

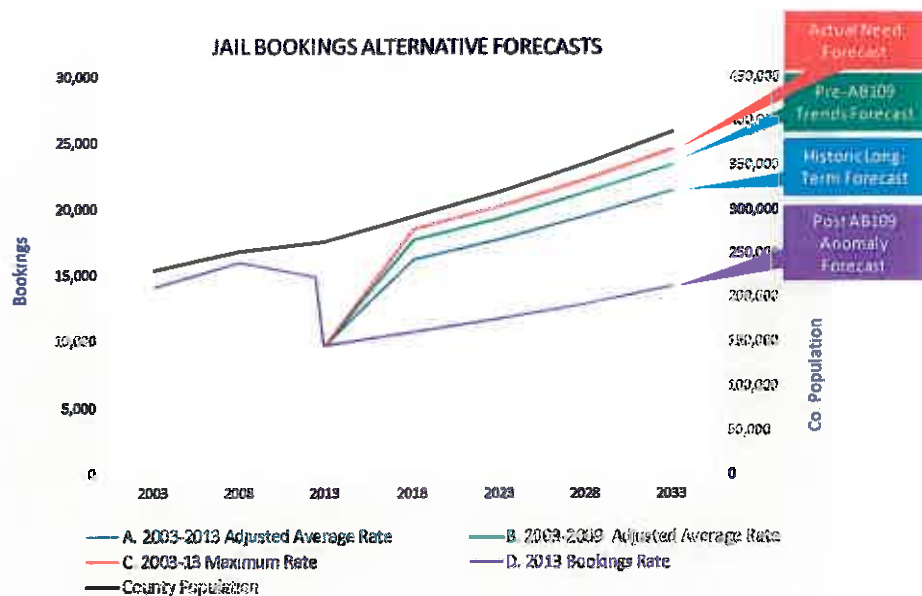




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*Exhibit 5: Alternative Booking Projections*

PROJECTIONS BASIS AND ALTERNATIVE FORECAST	Applied Hist Book- ing Rate	HISTORICAL DATA			FORECASTS				ANALYSIS 2013-33	
		2003	2008	2013	2018	2023	2028	2033	Change	Change
County Population <sup>1</sup>		232,356	253,026	264,922	292,703	320,484	353,100	387,482	155,126	67%
<b>Alternative Booking Forecasts</b>										
A. 2003-2013 Adjusted Average Rate	55.48	14,121	16,057	9,734	16,240	17,781	19,591	21,498	7,377	52%
B. 2003-2009 Adjusted Average Rate	60.51	14,121	16,057	9,734	17,712	19,393	21,366	23,447	9,326	66%
C. 2003-13 Maximum Rate	63.46	14,121	16,057	9,734	18,575	20,338	22,408	24,590	10,469	74%
D. 2013 Bookings Rate	36.74	14,121	16,057	9,734	10,755	11,776	12,974	14,237	116	1%



<sup>1</sup> Source: CA Department of Finance; Reports: E1 (updated May 2012, 2013); E4 (updated November 2012); P-1 (updated January, 2013)

As discussed in detail, the team recommends that the County discount the fourth very conservative scenario for reasons explained below, and adopt a booking forecast that falls within the parameters of the remaining three. If this occurs, jail bookings will most likely increase from between 52-74% over the next 20 years, depending on the number of additional jail beds that the County develops over that time frame.

### Explanation of and Discussion of Alternatives

**Alternative A Forecast:** This model applies the adjusted average rate of bookings that occurred over the previous 10 years to expected County population growth (the adjusted average rate is an average of all annualized 10-year rates, but excludes the high and low years in an attempt to mitigate any anomalies in the data or short-term issues that otherwise would skew the forecast). This forecast is most representative of a continuance of the most long-term 10-year historical trends and annualized data sets that was analyzed.



**Alternative B Forecast:** This projection uses the same methodology as Alternative A, but excludes datasets from years 2010-2013, and includes datasets only from 2003-2009 — the years prior to jail bed capacity reductions and the advent of AB 109. This forecast has been provided for perspective because it can be in a sense considered a business-as-usual forecast *prior to AB 109*.

**Alternative C Forecast:** This scenario applies the *maximum* annualized rate of bookings that occurred over the entire 10-year period analyzed. The team believes this forecast is most indicative of *actual demand*, because as discussed earlier, it has been shown that (a) bookings increased whenever jail bed capacity did, (b) officer-in-the-field cite and releases remain high, and (c) only the most serious offenders are held, as the ratio of misdemeanants to felons continues to fall. Indeed, this maximum scenario may still not capture true demand, which has not been possible to statistically substantiate.

**Alternative D Forecast:** This model simply applies the year 2013 booking rate to projected County population increases and should be viewed a post-AB 109 anomaly, as the County has yet to fully respond to its implementation relative to its detention facilities. It is, hypothetically, a status quo forecast that assumes the County would be able to obtain only very limited funding to increase jail capacity.

### **Bookings Forecast Conclusions**

By year 2019, bookings would increase sharply (for all but the most conservative [Alternative D] forecast)—assuming that the jail had sufficient capacity. Alternatives A, B, and C appear to be the most reasonable forecasts because they are far more in line with the long-term historical trends and are more representative of actual demand.

The issue that remains at hand is the ability of the County to fund its law and justice system in terms of capital facilities development cost and recurring annual operations costs to meet that demand.

### **Jail Bed Forecast**

#### **Overview and Methodology**

The team developed four alternative jail bed forecasts, ranging from a realistic minimum forecast of jail beds to a maximum unrestrained forecast that is closer to actually providing a statement of true need. With the exception of Scenario A, all other forecasts were developed by (a) incorporating several alternative jail booking forecasts, selected from above, (b) applying selected ALOS assumptions to forecasted bookings, and (c) incorporating different assumptions regarding field cite and releases, peak jail bed demand, and operational/segregation needs. Scenario A was based on simply applying the current number of jail beds per capita to forecasted County population.



### **Explanation of and Discussion of Alternative Bed Forecast Scenarios**

*Scenario 1, Beds Per Capita Model:* This model is simply based on the assumption that the ratio of current County revenues per capita continues and the percentage of those revenues expended for jail operations remains unchanged. It therefore simply applies ratio of beds to County population for year-end 2013 to forecasted County population growth. As shown in Exhibit 6 below, 811 beds would be developed by 2019, which would represent a net increase of 77 beds over current capacity. By year 2033, bed capacity would increase to 1,074 beds, or 340 more than existing.

*Scenario 2, Adjusted Long-Term Historical Basis Model:* This forecast is founded upon the assumption that the long-term trends experienced over the last 10 years will continue through the 20-year forecast horizon, in that it uses the Alternative B Bookings Projection (adjusted average rate per 1,000 population from 2003-13) and the combined adjusted ALOS experienced over the same timeframe. This model also includes an adjustment to account for a realistic bed utilization rate of 90%. This forecast results in a year 2019 need of 1,004 beds, or 270 more beds than the County system's current bed capacity. Bed needs would increase to 1,305 beds by year 2033, which equates to a net need of 571 additional beds over the existing bed capacity of the current system.

*Scenario 3, Year 2013 Basis:* This scenario is based on using the Alternative D Bookings Forecast (year 2013 bookings rate per capita) and applying the year 2013 ALOS. This forecast, in a sense, represents a status quo projection and results in a year 2019 need of 828 beds, or 94 more than currently exist. The need will increase to 1,096 beds by 2033, or 362 beds more than currently exist.

*Scenario 4, Probable Statement of Actual Need:* This projection is based on (a) using the Alternative C Bookings forecast (the maximum rate experienced from 2003-13), (b) adding an additional 15% factor to account for field cite and release events that probably should have occurred if there were sufficient jail capacity, applying the ALOS for years 2011-13 plus an additional 5% in ALS duration to account for fully absorbing the impacts of AB 109 and having prisoners serve reasonable amounts of actual jail time per their sentence, (d) adjusting for early releases, (e) assuming a 10% jail peaking factor, and (f) assuming a bed utilization factor of 90%.

This methodology results in forecast of 1,640 beds by 2019, or a net need of 906 beds over the existing capacity of the County system. By year 2033, 2,171 beds would be required, or 1,437 over the existing bed inventory. The team believes that this forecast is most indicative of carrying forward current unmet demand, which has been due to the lack of sufficient jail bed capacity and ability of the County to fund jail operations at these higher service demand levels.

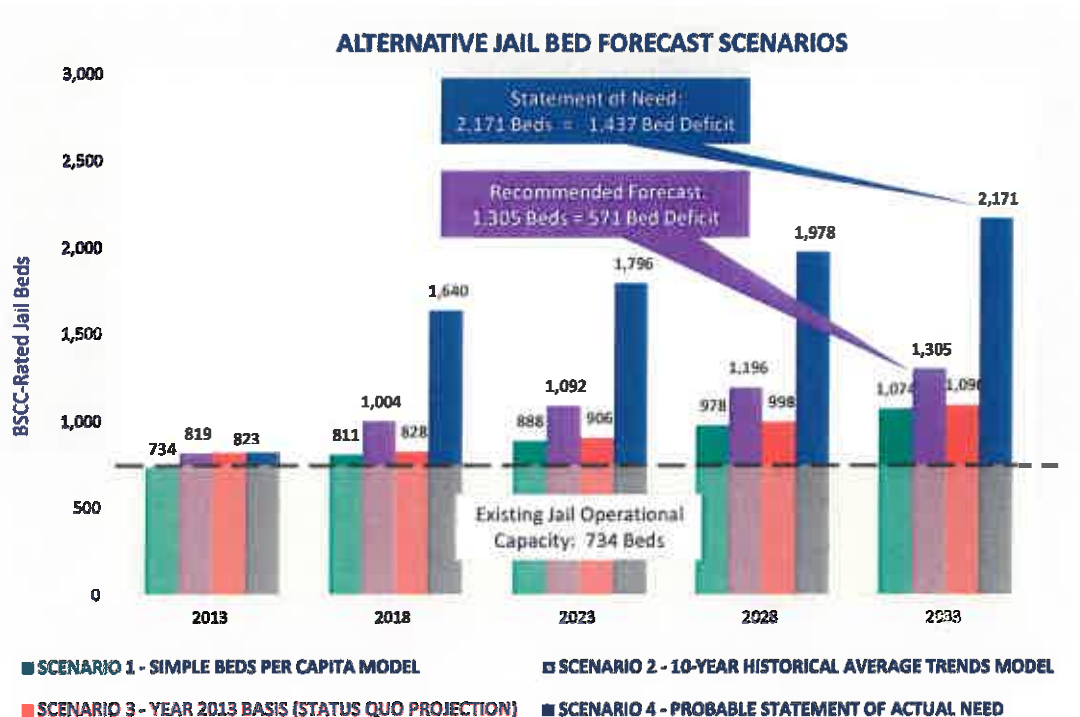


## Conclusions

Certainly, the jail service demand trends analyzed here and the resulting forecast demonstrate the need to increase jail bed capacity to meet current demand, let alone future demand, as the County continues to grow. The County should be able to at least fund future jail construction and operations at current County population per capita rates, and with assistance from the state with AB 109 funding, a yet-to-be determined higher level. Regardless, this analysis has shown that the demand for additional jail beds is indisputable, and that the County should be able to afford, at a bare minimum, the bed forecast contained in Alternative 1, and more likely the mid-level Alternative 2 forecast that is based on long-term 10-year historical trends that include the impacts of AB109 yet is moderated by the County's history of ability to fund jail operations.

Therefore, the team is recommending that the County use the Alternative 2 Jail Bed Forecast for facility planning purposes. To restate, this forecast results in a need of 189 additional beds by year 2019 and 464 beds by 2033, as shown in Exhibit 6.

*Exhibit 6: Jail Bed Alternative Forecast Synopsis*





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Exhibit 7 provides the detailed assumptions, data, and results for each alternative.

*Exhibit 7: Detailed Alternative Jail Bed Projections Data*

SCENARIO 1 - SIMPLE BEDS PER CAPITA MODEL

PROJECTION CRITERIA	Actuals 2013	PROJECTIONS				ANALYSIS	
		2018	2023	2028	2033	Net Change	Percent Change
County Population	264,922	292,703	320,484	353,100	387,482	122,560	46%
Existing Jail Operating Capacity	734	734	734	734	734		
Simple Operational Beds Per Capita Projection	734	811	888	978	1,074	340	46%
Jail Bed Surplus/Deficit	0	(77)	(154)	(244)	(340)	(340)	

SCENARIO 2 - 10-YEAR HISTORICAL AVERAGE TRENDS MODEL

PROJECTION CRITERIA	Applied Historic Rate	Actuals 2013	PROJECTIONS				ANALYSIS	
			2018	2023	2028	2033	Net Change	Percent Change
County Population		264,922	292,703	320,484	353,100	387,482	122,560	46%
Alt A Bookings Forecast (2003-03 Adj. Avg. Rate/1,000 Pop)	55.48	9,734	16,240	17,781	19,591	21,498	11,764	121%
Account for Field Cite and Releases	0%		Assumes officers will field cite and release at current rates					
Total Adjusted Bookings		9,734	16,240	17,781	19,591	21,498	11,764	121%
ALOS - (Adjusted Average 2003-13, less high and low yrs.)	19.02	25.42	19.02	25.42	19.02	25.42		
Average Daily Population - BSCC-Rated Bed Areas Only		678	846	926	1,021	1,120	442	65%
Adjust to Exclude Early Releases Per Day			Not an assumption in this model					
Subtotal		678	846	926	1,021	1,120	442	65%
Account for Daily Peaking Factor	10%	68	85	93	102	112	44	65%
Account for Operational/Seg. Needs @ 90% of Ops. Cap)		73	73	73	73	73		
Total Required Beds		819	1,004	1,092	1,196	1,305	486	59%
Existing Jail Operating Capacity		734	734	734	734	734	-	0%
Jail Bed Surplus/Deficit		(85)	(270)	(358)	(462)	(571)	(486)	

SCENARIO 3 - YEAR 2013 BASIS (STATUS QUO PROJECTION)

PROJECTION CRITERIA	Applied Historic Rate	Actuals/ Required 2013	PROJECTIONS				ANALYSIS	
			2018	2023	2028	2033	Net Change	Percent Change
County Population		264,922	292,703	320,484	353,100	387,482	122,560	46%
Alternative D Bookings Forecast (Year 2013 Rate Per 1,000)	36.74	9,734	10,755	11,776	12,974	14,237	4,503	46%
ALOS - (Year 2013 Duration)	25.42	25.42	25.42	25.42	25.42	25.42		
Average Daily Population - BSCC-Rated Bed Areas Only		678	749	820	904	992	314	46%
Adjust to Exclude Early Releases Per Day		3	4	4	4	5		
Subtotal		681	753	824	908	997	316	46%
Account for Daily Peaking Factor	10%	68	75	82	91	100	32	46%
Account for Operational/Seg. Needs @ 90% of Ops. Cap)		74	74	74	74	74		
Total Required Beds		823	828	906	998	1,096	273	33%
Existing Jail Operating Capacity		734	734	734	734	734	-	0%
Jail Bed Surplus/Deficit		(89)	(94)	(172)	(264)	(362)	(273)	307%

SCENARIO 4 - PROBABLE STATEMENT OF ACTUAL NEED

PROJECTION CRITERIA	Applied Historic Rate	Actuals/ Required 2013	PROJECTIONS				ANALYSIS	
			2018	2023	2028	2033	Net Change	Percent Change
County Population		264,922	292,703	320,484	353,100	387,482	122,560	46%
Alternative D Bookings Forecast (Maximum Rate (2003-13)	63.46	9,734	18,575	20,338	22,408	24,590	14,856	153%
Account for Field Cite and Releases	15%		2,786	3,051	3,361	3,688		
Total Adjusted Bookings		9,734	21,361	23,389	25,769	28,278	18,544	191%
ALOS - (2011-13 Avg., of 21.83 days + 5%)	25.36	25.42	25.36	25.42	25.42	25.42		
Average Daily Population - BSCC-Rated Bed Areas Only		678	1,484	1,625	1,790	1,964	1,287	190%
Adjust to Exclude Early Releases Per Day		3	7	8	8	9		
Subtotal		681	1,491	1,633	1,798	1,973	1,293	190%
Account for Daily Peaking Factor	10%	68	149	163	180	197	129	190%
Account for Operational/Seg. Needs @ 90% of Ops. Cap)		74	74	74	74	74		
Total Required Beds		823	1,640	1,796	1,978	2,171	1,348	164%
Existing Jail Operating Capacity		734	734	734	734	734	-	0%
Jail Bed Surplus/Deficit		(89)	(906)	(1,062)	(1,244)	(1,437)	(1,348)	1515%



## **CLASSIFICATION SYSTEM**

### **Introduction**

The foundation of a well-functioning correctional system is an effective and efficient classification approach. Relevant classification is key to facility safety and security and is fundamental in establishing staffing, program, and service requirements. The main focus on classification is to facilitate a successful and well-managed facility.

Success is based on identifying those inmates who cannot be housed safely in general population because they pose a threat to other inmates or staff, are targets of victimization, or have special requirements, such as medical, mental health, or other needs.

Most recently, the County's system has experienced an increase in violent gang members. There are six known gangs and various sub-groups within those gangs. The design of the Main Jail and JLCC does not allow for the appropriate separation of the numerous classification levels within the County system. This is further aggravated by the lack of housing needed to separate medical/mental health, sex offenders, and those who are violent and need segregation from the rest of the population.

### **Housing Units for Similar-Programmed Individuals**

To achieve this, the facility must have the proper number and type of housing units to align with the different classification categories. Because of outdated facility design, the top classification priority is to separate gangs. The result is gang-specific housing units, which only reinforces gang culture.

The Sheriff's Department is committed to use an evidenced-based, pre-trial assessment tool to classify inmates for housing placement. The tool is referred to as VAPRAI (Virginia Pre-trial Assessment Instrument), or the "Virginia Model." This concept is to ask a few key questions and generate a one-page report for each client. This is a practical, data driven approach to the complex classification process.

### **Risk Assessment Tools**

The main goal is to "have a seamless transition from in-custody to out-of-custody offenders." The Probation Department is committed to use an evidenced-based risk/needs assessment tool. This tool is referred to as STRONG\* (Static Risk/Offender Needs Guide).

The purpose of this approach is to:

1. Deliver more predictive assessment tools and improved classification of offenders
2. Increase accuracy in identifying which incarcerated offenders are awarded early release
3. Increase staff and offender efficacy through the use of organized, efficient, and collaborative supervision plans that could be measured for specific outcomes



### **Static Risk Assessment**

There are two components to the assessment process. The first is a 26-item static risk assessment, focused entirely on static factors and used solely to classify offenders into these categories:

- Low Risk Moderate Risk
- High-Risk Property
- High-Risk Drug
- High-Risk Violent

The tool measures certain key characteristics as predictors of recidivism: demographics and adult sentence violations resulting in confinement.

### **Offender Needs Assessment**

Once the classification has been made, the highest risk offenders receive the offenders needs assessment. Each of the individuals assessed will have unique risk and protective factors that need to be identified and taken into account when staff begins to plan change. It is based upon a broad social learning theory of criminal conduct supported by evidence-based practices and professional expertise. It includes 55 items that gather information related to offender characteristics, circumstances, and attitudes.

\* In Washington, this was implemented as the Offender Supervision Plan System (OSPS). Assessments.com now markets the system as STRONG – the Static Risk and Offenders Guide (this description of STRONG is from Assessments.com, “A Case Study – Washington State Department of Corrections Implements STRONG.”

### **Groups that Live Together and Learn Together**

Currently, a classifications officer and a probation officer work together at booking/intake to begin the classification process. This will also be the case in the consolidated facility.

It is anticipated that there will be the following housing units available:

1. Intake housing
2. Medical/behavioral health housing
3. General population
4. Maximum security
5. Minimum security





## **PROGRAM NEEDS**

### **Programmatic Mission**

The mission of the County's inmate programs and services component is to promote a seamless transition from in-custody to out-of-custody, accomplishing this through evidence-based guidance and effective practices. The goal is to provide inmates with opportunity to participate in a variety of programs and services intended for self-improvement, group interaction, educational skills development, and release readiness.

The Sheriff's Department understands that encouraging the constructive use of leisure time is necessary in effective inmate management. It is the intention that all inmates will have direct access to programs, services, and exercise areas directly from their housing units. This allows for constructive release of stress resulting from incarceration and will provide access to VEEP, self-help, and other meaningful programs that benefit inmates while in custody and out of custody.

The VARAI and the STRONG assessment tools provide information that identifies individual inmates' criminogenic needs as soon possible in order to deliver evidence-based program opportunities and targeted interventions to address those needs prior to the inmate's release from custody. The Sheriff's Department and the Probation Department will continue to work together and team with other service providers to provide the inmates that participate the best opportunity to have a seamless re-entry back into the community.

### **Delivery Method/Program Areas**

Currently, program and service areas are next to non-existent in the Main Jail, and are centralized (and originally sized for a population of 384 inmates) in JLCC. All inmates have to be escorted to these centralized spaces one group at a time, creating the situation where most inmates just stay in their housing units.

It is the desire of all staff that a new facility will be built that will create the opportunity to have program and service spaces located adjacent to every housing unit. This concept will work for VEEP functions, exercise, sick call, and interview rooms, as well as visiting and dining functions.

### **Current In-Custody Programs**

Under *California Code of Regulations Title 15, Minimum Standards for Local Corrections Facilities*, the Sheriff's Department must provide services and programs in the following major areas:

- Education and vocation
- Library services and access to community resources
- Exercise and recreation
- Individual and family services
- Inmate voting



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- Religious observances

### **Programing at Facilities**

The Main Jail and JLCC are severely lacking in programming. There is a huge program service gap between the design of these facilities and the realities of today's inmate classification needs.

The Main Jail has a federal court mandate for use of 172 beds. This in turn has created three results:

1. There is a need to release low-risk offenders; this brings about a situation that mostly moderate- to high-risk offenders stay in the system.
2. JLCC has 564 beds with 476 located in 18- and 20-bed dorms and the remaining 88 beds in "lock down."
3. The JLCC was designed for medium to minimum security sentenced inmates, for the most part, with housing appropriate for that population. The concept was to create a campus with centralized program space and normative housing with residential-type finishes and plumbing fixtures. Not only is the environment inappropriate for the risk level of these inmates, but they spend most of their day in the dorm setting because only one housing group at a time can safely and securely walk to program and exercise spaces.

The impact of this is a dysfunctional correctional system, yet the assessment programs and low-risk offender programs have evolved to be quite successful and have established a bright outlook for future programs.

### **Assessment at the Time of Booking and Pre-Trial Phases**

The Probation Department uses the STRONG (the Static Risk/Offender Needs Guide) for assignment to the appropriate levels of supervision. This tool allows the identification of the criminogenic needs of each offender and development of a case plan tailored to each individual. The case plan includes whether an inmate can be released (home arrest, alternative sentencing programs, work in lieu, or similar out-of-custody programs), but also begins the in-custody programming opportunities that can transition to out-of-custody programs. It is the intent of the Probation Department to use the full capacity of this assessment tool in the new facility in order to determine what programs are appropriate for each individual.

The Sheriff's Department currently supervises offenders on a court-ordered pre-trial supervision program after a recommendation is made by the Probation Department. The current system will be greatly enhanced with the utilization of the Virginia Model or VAPRAI. This pre-trial assessment tool can be administered by Probation or Sheriff personnel.



### **Further Existing Program Challenges**

The County's system has a larger pre-trial population than sentenced population. Many programs have a six-week curriculum, such as anger management. Pre-trial inmates are "in and out" of the system typically in a little over a month. It is difficult to create treatment and educational programs for short-term inmates. The consequence of having a facility that has limited access to program spaces along with a short-term population is a functional collapse of the ability for the correctional system to have a positive impact on incarcerated offenders.

### **Current Program Successes**

The success stories of the County revolve around out-of-custody offender programs. The main goal for the new facility is to create "a seamless transition from in-custody to out-of-custody offenders." Having the opportunity to introduce the County in-custody population to programs they can transition into once they are able is seen as a huge step in making these programs an even bigger success:

- Narcotics Anonymous
- Alcoholics Anonymous
- GED classes
- English classes
- Napa and Atascadero State Hospital mental health programs
- Trident Center, Sheriff's community supervision program
- Pre-trial release program
- Behavioral health court
- Adult drug court
- Flash incarceration and alternative sanctions

### **Programmatic Mission and Guiding Principles**

The new Jail Master Plan is a collaborative effort among the Sheriff's Department, Probation Department, and community-based partners that will enjoin pre- and post-release programs for offenders to improve public safety, reduce recidivism, and provide the continuum of resources for a successful re-entry into the community as well as the tools to complete a successful period of community supervision.

*Programmatic Mission:* The mission of the JLCC will be to provide focused and program-intensive services for sentenced individuals eligible for program participation, aimed at facilitating a quality rehabilitative model and a seamless re-entry process according to evidence-based practices.

*Guiding Principles:* The following guiding principles have been developed to strengthen and enhance the Sheriff's Department's mission statement:



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*“...We will maintain correctional facilities and operate correctional programs in the most efficient and effective manner possible...”*

- The use of validated risk/need assessment instruments to identify criminogenic needs and to reduce risk of re-offending.
- Development of individualized program plans as soon as possible upon admission into the facility
- Evidence-based programs that target criminogenic factors such as substance abuse, cognitive behavioral therapy, education, and employment to increase the successful transition into the community
- Maintenance of a multifaceted approach to effectively address inmates’ unique and varied needs
- Release readiness and preparing inmates for transition to the local community, while developing links with needed community resources, pro-social supports, and/or family
- Development of performance measures and continued outcomes evaluation

**Programs Under Development to be Implemented with the New John Latorraca Correctional Center**

**Vocation, Education, and Employment Programs**

Initiated by the Community Corrections Partnership (CCP), the intent of the program is to conduct educational and employment readiness assessments for clients who are either in or out of jail. The objective is to identify career fields, career interest, and training and educational needs. The Probation Department, County Human Services Agency (Human Services), County Workforce Investment (Workforce Investment), County Office of Education (Office of Education), and Sheriff’s Department will be the collaborating agencies.

**Custodial Re-Entry Multi-Disciplinary Program**

The County intends to develop a program within its correctional system to provide clients with re-entry services prior to being released from jail. Re-entry programming will likely include substance abuse treatment, educational services, cognitive behavioral therapy, employment services, anger replacement training, domestic violence counseling, and behavioral health services. Probation Department and Sheriff’s Department personnel have toured benchmark custodial programs, and will most likely model the Merced County programs after those in Santa Cruz and Napa counties.

**Warrant Reduction Project**

The County will contract with a community-based organization to serve as a nexus between the Probation Department and clients at risk of being returned to court for violations. The program will be modeled after the Santa Cruz County Warrant Reduction Project (WRAP) effort, which resulted in a 67% reduction of outstanding warrants for violations of probation. When a person is placed on probation and fails to keep in contact with his or her probation officer, a warrant is eventually requested by the



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officer and issued by the court. A study conducted by the Vera Institute of Justice in Santa Cruz County showed that, on average, probationers who were picked up on bench warrants issued for failing to maintain probation contact spent an average of 40 days in jail, with 26 of those days at the main jail and 14 at the medium or minimum facility. This spurred an innovative program in Santa Cruz. Fewer warrants in Merced County will result in fewer arrests, a reduction in jail bed days, and help ease the burden of the County superior court.

### **SB 678 Performance Incentives Program**

The California Community Corrections Program Act of 2009 awards counties for reducing the frequency of probationers being revoked and committed to state prison. The County's baseline for failure rate (2006-2008) is 4.5%, while the statewide baseline is 7.9%. The County's failure rate results for 2010 (4.1%) and 2011 (2.9%) resulted in allocations of \$364,000 and \$740,000, respectively. These funds have been utilized to support evidence-based efforts, including the implementation of the offender needs assessment tool (STRONG), an adult case-management system (Case-Pro), and the day reporting center (Trident Center).

In 2012, the failure rate was further reduced to 2.5%, thus establishing the Probation Department as one of seven "high performance" recipients in the state. As a result, the County's allocation for 2013-2014 is \$1,675,000. Being recognized as a "high performance" entity demonstrates the County's ability to reduce reliance on detention through community rehabilitative efforts.

The real next step in this endeavor is to start the process as an integrated part of detention. This will complete the continuum of care of the County's system.



## DETENTION ALTERNATIVES

### Merced County's Experience with Detention Alternatives

Alternatives to incarceration options have significantly reduced the County's jail population. However, there has been a decrease in the use of the work-release programs. Inmates quickly learn they spend less time in custody because of the early release policy. Crowding, coupled with court population "cap," has resulted in "early release" or "time served" for many inmates. There are no incentives for inmates to participate in the alternative sentencing programs, when by simply remaining in custody they would be released. Another example of an alternative program is the City of Merced's Cite and Release Program. The Merced Police Department issues field citations and releases from 1,200 to 1,500 persons arrested for misdemeanor violations per year.

### Alternatives to Incarceration Program

This chart indicates the impact the Alternatives to Incarceration Program has on the County's system.

	2009	2010	2011	2012	2013	2014
Home Arrest	46	63	64	70	73	120
ASP	49	25	8	11		
Work in Lieu	79	59	54	32	13	15
Total ADP	174	147	126	113	0	0

The adult services committee, formerly referred to as the re-entry subcommittee, of the Community Corrections Partnership, is a multi-disciplinary think-tank with the purpose of pursuing, implementing, and evaluating services to all adult clients. Committee participants include representatives of several community-based organizations and justice agencies. The committee convenes every two months and allows open discussions on what works in community corrections. Participants have been educated on evidence-based practices and, in turn, identify local efforts for the Probation Department to tap into for adult services. The mission of the committee is to explore cost-effective efforts to increase opportunities for client rehabilitation, thus reducing reliance on an overburdened justice system, including county and state detention.

### Alternatives to Incarceration Programs

- **Police Cite and Release:** Used by law enforcement for misdemeanor offenses or warrant violations that would result in a booking but not confinement. Because of overcrowding, the jail commander releases the violator on their recognizance immediately.



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- **Booking/Own Recognizance:** A release option used at the time of booking. Most misdemeanor offences are released on their own recognizance at booking by the Sheriff's Department. The offender is responsible to appear for a court hearing.
- **Bail:** May be set at booking by the Sheriff with court supervision.
- **Court Own Recognizance:** A release mechanism used at a scheduled hearing.
- **Community Service:** A sentence ordered by the court and supervised by the Probation Department.
- **Work Furlough/Electronic Monitoring/House Arrest:** A sentence that enables a convicted felon to work while staying at home. The individual is monitored and may not leave home except to go to work.
- **Work in Lieu:** A Sheriff's Department program that daily assigns tasks at one of 40 County sites.
- **Weekenders:** A Sheriff's Department program that has work assignments for inmates on weekends.
- **Alternative Sentencing Programs:** Work programs designed to fit an inmate's flex work schedule.
- **Sheriff's Department's Community Supervision Program:** The Sheriff's Department utilizes GPS to track and supervise clients released early from the County system. Operates out of the Trident Center.
- **Pre-Trial Release Program:** Provided by the Probation Department by reviewing cases at time of arraignment to provide the court with recommendations on whether to release defendants on own recognizance or to the Sheriff's Department for electronic monitoring.
- **Custodial Pre-Arraignment and Pre-Trial Program:** For detainees awaiting disposition who pose the least risk to the community. Based on their level of risk, the client will either be released on own recognizance or fitted with a GPS unit until the disposition of their court case. The Probation Department and the Sheriff's Department assess each individual's risk utilizing the risk assessment tool, VAPRAI.
- **Drug Court:** Combines step-by-step positive re-enforcement combined with legal consequences. Participants in the Drug Court Program have significant drug/alcohol problems with extensive arrest records. Drug and alcohol addiction is their primary cause for committing other crimes such as theft or burglary. In addition to daily classes, the court requires frequent drug and alcohol testing. The civil grand jury observed a "pep rally" atmosphere where participants cheered announcements of time periods of clean testing. Clients who have minor setbacks face legal consequences on another day in court. Drug Court brings together the Probation Department, Merced County Mental Health (Mental Health), the public defender, and the courts to work to modify the behavior that leads to other crimes.
- **Behavioral Health Court (Mental Health Court):** Started in April of 2012 and is modeled on the success of the Drug Court. It is a collaboration of superior court, the Mental Health and Probation Departments, the public defender, and the district attorney. The Probation Department has designated a parole officer to oversee post-release community supervision and probation offenders who have high levels of behavioral health needs. The court may impose alternatives to jail sanctions or order the offender into custody for violations of their terms and conditions of probation.
- **AB 109 Day Reporting Center (Trident Center):** Opened in January 2013 by the Sheriff's Department in partnership with the Probation Department, Mental Health, and Human Services. The Sheriff's Department and Probation Department account for more than 24 positions and approximately \$5 million in state funding for the center. The purpose of this center is to act as a one-stop shop to assist sentenced inmates in transitioning back into society through education of basic skills.





- **Vocation, Education, and Employment Programs (VEEP):** Initiated by the CCP, the intent of the program is to conduct educational and employment readiness assessments for clients who are either in or out of jail. The objective is to identify career fields, career interest, and training and educational needs. The Probation Department, Human Services, Workforce Investment, and the County Office of Education are the collaborating agencies. The Civil Grand Jury notes that the Sheriff's Department is not a collaborating agency.
- **Flash Incarceration and Alternative Sanctions:** Flash incarceration is a 1- to 10-day detention due to a violation of an offender's release. Alternative sanctions are decided by the judiciary as an appropriate sanction for the offender other than detention or already defined alternatives to incarceration. These sanctions could include specialized community service, restitution, or halfway houses.
- **Custodial Re-Entry Multi-Disciplinary Program:** Links offenders with re-entry services prior to being released from jail. The re-entry program includes substance abuse treatment, educational services, cognitive behavioral therapy, employment services, anger replacement training, domestic violence counseling, and behavioral health services.
- **Warrant Reduction Advocacy Program (WRAP):** A community-based organization that serves as a nexus between the Probation Department and clients at risk of being returned to the court system.



## ANALYSIS OF LOCAL TRENDS

### Historical Jail Service Demand Trends (2003-2013)

The accompanying charts shown in Exhibit 2 provide a synopsis of the salient jail service demand phenomena and trends that occurred from 2003 to 2013, which in part were used as a baseline to project the need for future jail beds. As will be shown, the County system experienced significant changes during this period.

### Analysis and Findings

#### County Population

Overall, County population increased 14%, or by 32,566 residents, from 232,356 to 294,922. Meanwhile, the unincorporated population increased 16%, while the incorporated areas increased by 11%.

#### Jail Bookings

For the entire 10-year period analyzed, total annual jail bookings actually *decreased* by 31%, or by 4,387 bookings annually, from 14,121 to 9,734. This decrease is not due to a lack of actual demand however, but apparently was mostly attributable two factors: changes in operational capacity and the increase in ALOS that has occurred more recently.

*Correlation of Jail Capacity to Bookings Volume:* The accompanying charts show a direct correlation between jail bookings and jail bed capacity. The volume of annual jail bookings closely paralleled changes in operating capacity from 2003 through 2009 (prior to the implementation of AB 109). Most importantly, when the County temporarily increased the operating capacity from 743 to 807 beds in 2006 and to 823 beds in 2008, bookings increased a like amount. Then, in 2009, bookings declined after the County was not permitted to house more inmates than the BSCC-rated capacity of the system, or 753 beds.

Although complete arrests, as well as field officer cite and release data, was not readily available for all law enforcement agencies within the County, it is known that the City of Merced Police Department cited and released 1,350 persons in 2013, while the Sheriff's Department cited and released 688 persons—evidence which further supports the supposition that the limited bed capacity of the County system has suppressed an indeterminate, yet significant amount of bookings that otherwise would have occurred. Note that the ALOS remained relatively constant during 2003-2009.

*Impact of Absorbing AB109 Inmates:* In 2011, bookings began to drop at an even faster rate, as the County began to absorb AB 109 state inmates and the ALOS increased. From 2010 to 2013, the ALOS increased from 18.5 to 25.42 days—an increase of 38%, while bookings dropped further from 13,843 to 9,734, or by 30%.



### **Average Daily Population and Average Length-of-Stay Versus Jail Capacity**

The charts in Exhibit 2 also demonstrate that ADP levels closely correlated to bed capacity over the stated timeframe. Additionally, as the County began to absorb AB 109 inmates in 2011, the ALOS began to increase significantly each year through the present, as the full-effect of realignment takes hold on the County.

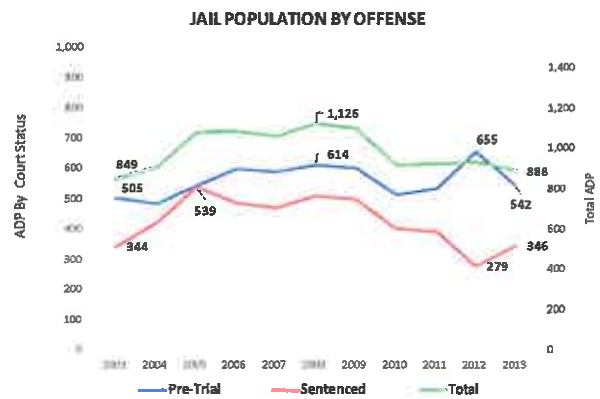
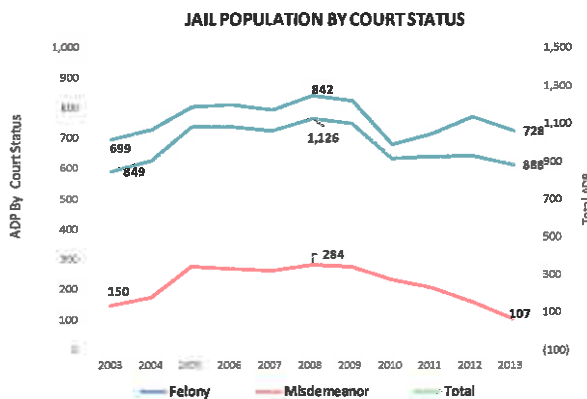
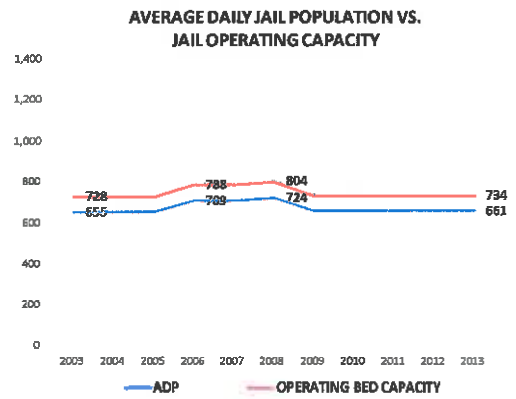
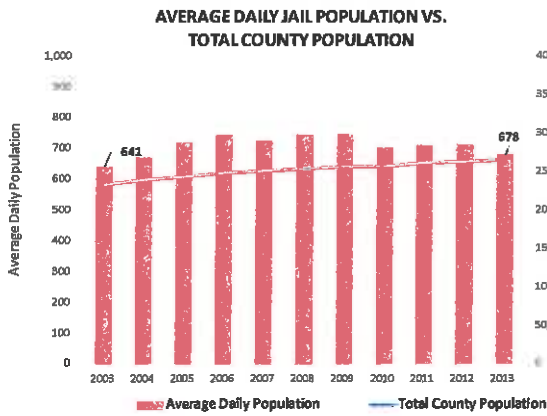
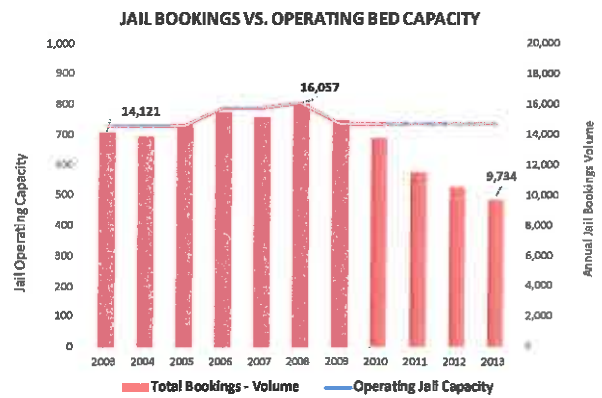
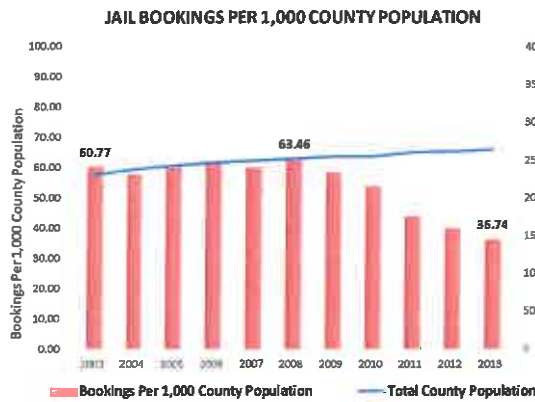
### **Average Daily Population Versus Jail Capacity**

The ratio of ADP versus operating capacity ranged from a low of 85% to a high of 101% over the previous decade. Given that typically only 90% of the jail beds can be reasonably occupied at any time due to prisoner segregation requirements and daily bed turnover as prisoners enter and leave the jails, the County system has been essentially “full” for the last 10 years. Plus, these figures do not take into account peak booking periods that routinely occur.



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## Exhibit 2: Jail Detention System Historical Trends





### **Detention System ADP by Charged Offense Trends**

From 2003 through 2013, prisoners charged with felonies increased by 4% overall, while those charged with misdemeanors *decreased* by 29%. This is indicative of the County having to continue to make tough decisions regarding those who are booked into the system based on seriousness of charges due to insufficient bed capacity. This results in lessor offenders being increasingly released at earlier dates or never being booked to begin with.

### **Early Releases**

Although the availability of consistent annualized data was limited, the total number of days of sentences not served has skyrocketed from 1,508 in 2009 to 19,930 in 2012. To what degree this is due to split sentencing of AB 109 inmates versus the limited capacity of the County system is unknown.

### **Historical Conclusions**

In summary, this analysis has demonstrated that jail bed capacity has been insufficient to meet the needs of the County system. The lack of adequate capacity has resulted in suppressed booking volumes, resulting in lower jail populations than would otherwise have occurred. The criteria for releasing offenders has, and will, continue to become less stringent over time, if jail bed capacity is not augmented, despite the increased use of alternatives to incarceration programs.

Early releases and reductions in duration of time served continue to become more prevalent. This situation has reduced the County's ability to hold offenders fully accountable for their actions, especially those released on their own recognizance and who fail to appear in court. Certainly, additional beds are required to meet current demand, but perhaps more importantly, the right types of beds will need to be developed in support of new and expanded AB 109 inmate programs in order to break the "book and build cycle" and successfully fully implement AB 109 in Merced County.

The specific detailed data used to generate these charts above is provided in Exhibit 3, while the resulting analytical data is provided in Exhibit 4.



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**Exhibit 3: Detailed Historical Jail Service Demand Data**

CRITERIA	ANNUALIZED HISTORICAL DATA YEAR-END											ANALYSIS 04-13	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Net Inc.	% Inc.
<b>JAIL SERVICE DEMAND DRIVERS</b>													
Total County Population	232,356	238,069	243,072	247,542	250,734	253,026	255,399	255,793	261,062	262,390	264,922	32,566	14%
Incorporated	84,116	84,746	85,873	84,992	86,672	87,954	88,978	89,167	89,859	90,551	93,083	8,967	11%
Unincorporated	148,240	153,323	157,199	162,550	164,062	165,072	166,421	166,626	169,233	171,839	171,839	23,599	16%
<b>Bookings</b>													
<u>Actual Bookings</u>													
Total Bookings - Volume	14,121	13,863	14,673	15,456	15,124	16,057	14,981	13,843	11,546	10,551	9,734	(4,387)	-31%
Bookings Per 1,000 County Population	60.77	58.23	60.36	62.44	60.32	63.46	58.66	54.12	44.23	40.21	36.74	(24)	-40%
<b>JAIL HOUSING TRENDS</b>													
<b>Jail Bed Capacity</b>													
BSCC-Rated Beds	747	747	747	747	747	747	753	753	753	753	753	6	1%
Temporary Added Bunks	0	0	0	60	60	76	0	0	0	0	0		
Total Physical Beds	747	747	747	807	807	823	753	753	753	753	753	6	1%
Federal Court Order - Main Jail Adjustment	(19)	(19)	(19)	(19)	(19)	(19)	(19)	(19)	(19)	(19)	(19)	0	0%
Operating Jail Capacity	728	728	728	788	788	804	734	734	734	734	734	6	1%
<b>Estimated Average Daily Population</b>													
<i>ADP Reported to BSCC</i>													
Estimated Average Daily Population	641	670	720	743	725	744	745	701	707	713	678	37	6%
<i>Interpolated Data</i>													
Percent of Operating Capacity	88%	92%	99%	94%	92%	93%	101%	96%	96%	97%	92%		
Estimated Average Length of Stay	16.57	17.64	17.90	17.55	17.51	16.91	18.15	18.48	22.35	24.67	25.42	9	53%
<b>AVERAGE DAILY POPULATION WITHIN DETENTION SYSTEM PROGRAMS</b>													
<u>ADP By Status</u>													
Pre-Trial	505	484	544	598	591	614	602	514	534	655	542	37	7%
Sentenced	344	424	539	489	471	512	500	404	392	279	346	2	1%
Total	849	908	1,083	1,087	1,062	1,126	1,102	918	926	934	888	39	5%
<u>ADP By Charge</u>													
Felony	699	730	806	814	796	842	825	681	716	772	728	29	4%
Misdemeanor	150	178	277	273	266	284	277	237	210	162	107	(43)	-29%
Total	849	908	1,083	1,087	1,062	1,126	1,102	918	926	934	888	39	5%
<b>Early Releases</b>													
Number of Early Releases <sup>1</sup>	No or unreliable data				334	271	203	No or unreliable data			516		
Total Days Not Served	No or unreliable data				2,454	2,087	1,508	No or unreliable data			19,930		



MERCED COUNTY JAIL PLANNING SERVICES  
NEEDS ASSESSMENT

Exhibit 4: Historical Rates Analytical Data

CRITERIA	ANNUALIZED DATA AND ANALYSIS										
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>GENERAL SERVICE DEMAND INDICATORS</b>											
Total County Population	232,356	238,069	243,072	247,542	250,734	253,026	255,399	255,793	261,062	262,390	264,922
Jail Operating Capacity	728	728	728	788	788	804	734	734	734	734	734
<b>ADULT BOOKINGS</b>											
Adult Bookings Volume	14,121	13,863	14,673	15,456	15,124	16,057	14,981	13,843	11,546	10,551	9,734
<b>Analysis</b>											
Bookings Per 1,000 County Pop.	60.77	58.23	60.36	62.44	60.32	63.46	58.66	54.12	44.23	40.21	36.74
Alt. Rates Analysis - All Years	Minimum	36.74		Average	54.50		Adj. Avg.	55.48		Maximum	63.46
Alt Rates - Excludes Years: 2010-13)	Minimum	58.23		Average	60.61		Adj. Avg.	60.51		Maximum	63.46
Alt Rates - Only Years: 2006-2008)	Minimum	60.32		Average	62.07		Adj. Avg.	NA		Maximum	63.46
<b>JAIL POPULATION LEVELS</b>											
<b>Average Daily Population</b>											
ADP - Monthly Average Annualized	641	670	720	743	725	744	745	701	707	713	678
<b>Analysis</b>											
ADP Per 1,000 County Population	2.76	2.81	2.96	3.00	2.89	2.94	2.92	2.74	2.71	2.72	2.56
Alternative Rates Analysis	Minimum	2.56		Average	2.82		Adj. Avg.	2.83		Maximum	3.00
Alt Rates - Excludes Years: 2010-13)	Minimum	2.76		Average	2.90		Adj. Avg.	2.90		Maximum	3.00
<b>AVERAGE LENGTH OF STAY</b>											
ALOS - Annualized Average Data	16.57	17.64	17.90	17.55	17.51	16.91	18.15	18.48	22.35	24.67	25.42
<b>Analysis</b>											
All Years	Minimum	16.57		Average	19.38		Adj. Avg.	19.02	Increase from 2009:		40.1%
Excludes Years: 2010-13	Minimum	16.57		Average	17.46		Adj. Avg.	17.50		Maximum	25.42
Only Years 2011-13	Minimum	22.35		Average	24.15		Adj. Avg.	NA		Maximum	18.15
											25.42





## ADEQUACY OF STAFFING LEVELS

In order to fulfill the mandate of providing a safe environment for staff, inmates, and visitors, correctional facilities must be staffed 24 hours a day, 7 days a week. Staffing levels in the County system are currently at the absolute minimum. These issues have the potential of affecting the overall security of the facility and the morale of the Sheriff's Department personnel, as well as impacting daily facility operations when the large number of inmates delays some activities. For example, at current staffing levels, it is difficult to effectively supervise inmates while also providing other needed services, such as escorting inmates to programs and services, transporting them to court appearances, or transferring them to another facility in a timely manner.

Historically, despite staffing limitations, the County has done its best to properly staff its facilities. In fact, each interaction the team had with Sheriff's Department staff revealed caring and compassionate individuals who, despite the difficult conditions, are able to perform their duties diligently and provide strict parameters for expected behavior in a safe and orderly environment.

Recruiting qualified applicants to become corrections officers has been a recurring concern to the Sheriff's Department. Numerous candidates who pass through the corrections academy apply to the County and cannot clear the appropriate background checks required to work in the facilities. As a result, both the County Human Resources Department and the Sheriff's Department command staff have been required to devote a disproportionate amount of time to recruiting, testing, investigating, selecting, mentoring, and retaining corrections officers.

Jail managers are also challenged with retaining non-sworn employees, a significant percentage of whom use their jail employment as a gateway to transition into other positions with higher pay and better working conditions. Losing those employees after making a substantial investment presents challenges.

The ability to recruit and retain people is further exacerbated by a continued reduction in funding for staff. Not only has the Sheriff's Department had trouble filling the vacancies because of lower pay and retirement, but budget cuts have also translated into positions that become open through attrition but are not filled in order to meet budget demands.

The Sheriff's Department is currently comprised of approximately 283 employees, about 40% of whom are part of the adult corrections system. These numbers are exclusive of contract medical or psychiatric services. Programming is provided by corrections officers, probation officers, Behavioral Interventions (a for-profit company), or community/non-profit agencies.

Currently, the Sheriff's Department has 12 vacancies that have not been filled. Corrections officers work eight-hour shifts, five days a week, with no overlap of shifts. Each shift has between six and nine officers and includes Spanish-speaking and female corrections officers.



## MERCED COUNTY JAIL PLANNING SERVICES NEEDS ASSESSMENT

### **Main Jail**

The total number of officers employed at the Main Jail is 39, working on shifts of six to nine officers at a time. All thought this staffing level is fairly adequate for a jail population of this size staffing inadequacies have been continuously experienced, mostly as a result of heightened needs due to the inefficiencies of the design that create security and observation concerns.

The Main Jail has the following personnel:

- Classification officer: 1
- Corrections officers: 27
- Jail facility lieutenants: 1
- Sergeants: 5
- Office personnel:
  - Corrections officer (roads department): 1
  - Corrections officers (Trident Center): 2
  - Court corrections officers: 2
  - Facility admissions clerk: 1
  - Security systems operators: 6

### **John Latorraca Correctional Center**

The total number of officers employed at the JLCC is 49, working in shifts of 8 to 12 officers at a time, as with the Main Jail, staffing inadequacies have been continuously experienced, mostly as a result of heightened security and supervision needs due to the inefficiencies of the design.

The JLCC has the following personnel:

- Corrections officers: 35
- Jail facility lieutenants: 1
- Sergeants: 5
- Office personnel:
  - Classification officers: 2
  - Corrections officer assigned (roads department): 0
  - Corrections officers assigned (Trident Center): 0
  - Court corrections officers: 0
  - Facility admissions clerks: 2
  - Programs officer: 1
  - Security systems operators: 0
  - Transportation officers: 4
- Food service staff:
  - Cooks: 5
  - Food services supervisor: 1



## MERCED COUNTY JAIL PLANNING SERVICES NEEDS ASSESSMENT

Overall, the Sheriff's Department asserts that more employees are needed to adequately staff and supervise the in-custody population. This is especially true in light of AB 109, requiring an additional amount of staff time and resources due to increased paperwork requirements and supervision of higher-need inmates.



## **ABILITY TO PROVIDE VISUAL SUPERVISION**

The Sheriff's Department realizes the importance for staff to maintain direct visual observation of inmates. Inmates frequently move throughout facilities, so it is vital that staff members can view what the inmates are doing. Visual observation can be accomplished with building design, appropriate use of electronic technology, and sufficient staffing.

The County's current jails are not designed to allow for clear lines of sight. The eight-man cells at the Main Jail require a corrections officer to view the activities of the cells from the bar-grille corridors into the bar-grille cell fronts. The linear corridor layout of the Main Jail requires the officer to physically walk to the cell fronts to be able to see into the cells. The JLCC minimum security dorms require officers to move to the front of each individual dorm unit and open the door to have any visual inside the unit. The glass on the fronts of the dorm units do not provide adequate lines of sight into the housing unit for officers to really be able to see into them.

The Sheriff's Department has some camera coverage at the facilities, including inmate areas, public areas, and corridors. The camera coverage at the facilities is outdated and need to be replaced to provide better visual monitoring and supervision.

JLCC's camera system does not provide an adequate number of cameras and contains obsolete cameras and blacked-out monitors. The building contains approximately 27 cameras, and of those, numerous cameras are not functioning. The layout and design of the building is obsolete and leads to multiple hiding or blind spots. Appropriate visual coverage cannot be achieved without upgrades and additions to the entire CCTV system.

With the age of the Main Jail facility, several of the cameras are obsolete and should be replaced. A few new cameras have been added at various locations to provide some observation; however, the County is unable to provide proper visual supervision with the outdated equipment still being utilized. Multiple hiding and blind spots are evident throughout the facility because of the poor linear design.

The Sheriff's Department understands inmates need to have personal supervision from the officers in the housing areas. Officers enter the housing areas to conduct hourly safety checks on the inmates and document those checks on logs placed in the units. This provides them with the opportunity to interact with the inmates and learn about potential problems occurring in the unit. Although staffing throughout the Type II system has been adequate, it is rarely sufficient to give staff uninterrupted time to spend with inmates developing positive and proactive dialogs.

As mentioned previously, the Sheriff's Department is pursuing SB 863 grant funding.



## **ADEQUACY OF RECORD KEEPING**

The Sheriff's Department collects and stores comprehensive arrestee and inmate information in line with Title 15 California Penal Code (CPC), including demographics, offense and sentence information, and assessment data in a computerized jail management system (JMS). Data management is the responsibility of the records division of the Sheriff's Department, who maintains the records management system (RMS). Entries into either system are immediately available to Sheriff's Department personnel responsible for different duties in inmate management. Detailed records are maintained not only as a crucial tool for successful inmate classification and daily operations, but are also imperative to the County in its continued efforts to root all system improvements, practices, and policy decisions in empirical research and evidence-based practices.

With regard to program participation and participant performance, the Sheriff's Department intends to increase data collection efforts in the future, with the goal of supporting program assessment and evaluation through comprehensive performance data.

In addition to maintaining electronic files on all inmates, the Sheriff's Department currently stores historical files as hard copies, pending sufficient staffing required for the effort to scan and attach all documents to their respective booking numbers.

A few additional instances require paper handling, with documents scanned and attached to electronic files as they are handled:

### **Incoming Hard Copies**

All hard copy files that an inmate or outside service providers may provide to the jail are scanned and attached to the specific booking number upon receipt, and then filed.

### **Inmate Grievances**

Inmates can request a designated grievance form when they wish to make a complaint. Upon resolution, each filed grievance form is scanned and attached to the inmate's file, and an electronic record is kept of types and numbers of filed grievances.

### **Inmate Health Care Records**

CFMG retains and manages all medical records for the county. CMFG is a third party contract provider of medical care and service to Merced County.



## **HISTORY OF COMPLIANCE WITH STANDARDS**

The BSCC is mandated statutorily by CPC Section 6031 to inspect all local detention facilities in the state biennially. Generally speaking, the Sheriff's Department has maintained compliance with both Title 15 and Title 24 regulations in the Main Jail and the JLCC. Maintaining compliance with these standards has been challenging at both the Main Jail and JLCC due to poor designs. Most recently, the management of a new offender population that will serve longer times in jail has added additional stress to the facility already facing significant overcrowding.

Additionally, the Sheriff's Department has met most regulations regarding local fire inspections and environmental inspections. When non-compliant items are found, staff works diligently to resolve the issue. If the issue cannot immediately be resolved, the staff works with the local inspection authority to create a work plan that addresses the non-compliant issues in a time and manner acceptable to the local inspection agency.

With the goal of gaining an understanding of the jail's current standing with regard to standards and compliance-related issues, the most recent BSCC inspections were used for this Needs Assessment. However, where important, mentions of prior reports and historical compliance issues were also included.

The Sheriff's Department has long faced difficulties in several areas of its management and services to the correctional population. Most particularly, the County system faces significant issues affecting the success of its overall mission and the ability of the Sheriff's Department to comply with Title 15 and Title 24 standards:

- Poor facility design
- Continued overcrowding
- Staffing difficulties
- Program and service delivery
- Lack of dayroom space
- Lack of programmatic space

The most recent BSCC inspection took place on 3/25/2014. All facilities were inspected for compliance with the Minimum Standards for Local Detention Facilities (Titles 15 and 24, CCR), with each facility's age determining the applicable standards.



# SENATE BILL 863, ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION FINANCING PROGRAM PROPOSAL FORM

*This document is not to be reformatted.*

## SECTION 1: PROJECT INFORMATION

<b>A. APPLICANT INFORMATION AND PROPOSAL TYPE</b>				
COUNTY NAME Merced		STATE FINANCING REQUESTED \$ 40,000,000.00		
SMALL COUNTY (200,000 and UNDER GENERAL COUNTY POPULATION) <input type="checkbox"/>	MEDIUM COUNTY (200,001 - 700,000 GENERAL COUNTY POPULATION) <input checked="" type="checkbox"/>	LARGE COUNTY (700,001 + GENERAL COUNTY POPULATION) <input type="checkbox"/>		
TYPE OF PROPOSAL – INDIVIDUAL COUNTY FACILITY /REGIONAL FACILITY PLEASE CHECK ONE (ONLY): INDIVIDUAL COUNTY FACILITY <input checked="" type="checkbox"/> REGIONAL FACILITY <input type="checkbox"/>				
<b>B: BRIEF PROJECT DESCRIPTION</b>				
FACILITY NAME John Latorraca Correctional Center				
PROJECT DESCRIPTION: Remodeling all existing dormitory space to bring the structures up to current code requirements; addition of 30 new medical/mental health treatment housing beds; new 10,000 SF programs and services building; new intake/transfer/release building allowing for processing of inmates; new kitchen and laundry facility; and enhancements to the site security.				
STREET ADDRESS 2584 West Sandy Mush Road				
CITY Merced		STATE CA	ZIP CODE 95341-8713	
<b>C. SCOPE OF WORK – INDICATE FACILITY TYPE AND CHECK ALL BOXES THAT APPLY.</b>				
FACILITY TYPE (II, III or IV) Type II	<input type="checkbox"/> NEW STAND-ALONE FACILITY	<input checked="" type="checkbox"/> RENOVATION/ REMODELING	<input checked="" type="checkbox"/> CONSTRUCTING BEDS OR OTHER SPACE AT EXISTING FACILITY	
<b>D. BEDS CONSTRUCTED – Provide the number of BSCC-rated beds and non-rated special use beds that will be subject to construction as a result of the project, whether remodel/renovation or new construction.</b>				
	A. MINIMUM SECURITY BEDS	B. MEDIUM SECURITY BEDS	C. MAXIMUM SECURITY BEDS	D. SPECIAL USE BEDS
Number of beds constructed	476			30
TOTAL BEDS (A+B+C+D)	506 (Represents a rated capacity increase of 0 beds).			



**E. APPLICANT'S AGREEMENT**

By signing this application, the authorized person assures that: a) the County will abide by the laws, regulations, policies, and procedures governing this financing program; and, b) certifies that the information contained in this proposal form, budget, narrative, and attachments is true and correct to the best of his/her knowledge.

**PERSON AUTHORIZED TO SIGN AGREEMENT**

NAME John Pedrozo

TITLE Chairman, Board of Supervisors

AUTHORIZED PERSON'S SIGNATURE

DATE

AUG 18 2015

**F. DESIGNATED COUNTY CONSTRUCTION ADMINISTRATOR**

This person shall be responsible to oversee construction and administer the state/county agreements. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

**COUNTY CONSTRUCTION ADMINISTRATOR**

NAME Mr. Dana S. Hertfelder, P.E.

TITLE Director of Public Works

**DEPARTMENT**

Merced County Department of Public Works

**TELEPHONE NUMBER**

209-385-7602

**STREET ADDRESS**

715 Martin Luther King, Jr. Way

**CITY**

Merced

**STATE**

CA

**ZIP CODE**

95341

**E-MAIL ADDRESS**

DHertfelder@co.merced.ca.us

**G. DESIGNATED PROJECT FINANCIAL OFFICER**

This person is responsible for all financial and accounting project related activities. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

**PROJECT FINANCIAL OFFICER**

NAME Ms. Lisa Cardella-Presto

TITLE Auditor-Controller

**DEPARTMENT**

Auditor-Controller

**TELEPHONE NUMBER**

209-385-7511

**STREET ADDRESS**

2222 M Street

**CITY**

Merced

**STATE**

CA

**ZIP CODE**

95340

**E-MAIL ADDRESS**

LCardella-Presto@co.merced.ca.us

**H. DESIGNATED PROJECT CONTACT PERSON**

This person is responsible for project coordination and day-to-day liaison work with the BSCC. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

**PROJECT CONTACT PERSON**

NAME Mr. Greg Sullivan

TITLE Sheriff Captain

**DEPARTMENT**

Merced County Sheriff's Department

**TELEPHONE NUMBER**

209-600-1932

**STREET ADDRESS**

2222 M. Street

**CITY**

Merced

**STATE**

CA

**ZIP CODE**

95340

**E-MAIL ADDRESS**

GSullivan@co.merced.ca.us

## SECTION 2: BUDGET SUMMARY

### **Budget Summary Instructions**

Definitions of total project costs for purposes of this program (state reimbursed, county cash contribution, and county in-kind contribution) can be found in the "Budget Considerations" page 22 of the Senate Bill (SB) 863, Construction of Adult Local Criminal Justice Facilities (ALCJF's) Request for Proposals (RFP). The county cash and in-kind contributions are collectively the county contribution. Those defined costs in the RFP shall be the guide for accurately completing this budget summary section.

In the Budget Summary Table that follows in part D of this section, indicate the amount of state financing requested and the amount of cash and/or in-kind contributions allotted to each budget line-item, in total defining the total project costs. It is necessary to fully include each eligible project cost for state-reimbursed, county cash, and county in-kind contribution amounts.

The in-kind contribution line items represent only county staff salaries and benefits, needs assessment costs, transition planning costs and/or current fair market value of land. An appraisal of land value will only be required after conditional award and only if land value is included as part of the county's contribution.

The total amount of state financing requested cannot exceed 90 percent of the total project costs. The county contribution must be a minimum of 10 percent of the total project costs (unless the applicant is a small county petitioning for a reduction in the county contribution amount). County contributions can be any combination of cash or in-kind project costs. Small counties requesting a reduction in county contribution must state so in part A of this section. The County contribution must include all costs directly related to the project necessary to complete the design and construction of the proposed project, except for those eligible costs for which state reimbursement is being requested.

State financing limits (maximums) for all county proposals are as follows. For proposed regional ALCJF's, the size of the lead county determines the maximum amount of funds to be requested for the entire project:

- **\$80,000,000** for large counties;
- **\$40,000,000** for medium counties; and,
- **\$20,000,000** for small counties.

**A. Under 200,000 Population County Petition for Reduction in Contribution**

Counties with a population below 200,000 may petition the Board of State and Community Corrections (BSCC) for a reduction in its county contribution. This proposal document will serve as the petition and the BSCC Board's acceptance of the county's contribution reduction, provided the county abides by all terms and conditions of this SB 863 RFP and Proposal process and receives a conditional award. The county (below 200,000 population) may request to reduce the required match to an amount not less than the total non-state reimbursable projects cost as defined in Title 15, Division 1, Chapter 1, Subchapter 6, Construction Financing Program section 1712.3. If requesting a reduction in match contribution, check the box below to indicate the county's petition.

☐ **By checking this box the county hereby petitions for a contribution reduction request as reflected in the proposal budget.**

**B. Readiness to Proceed Preference**

In order to attest that the county is seeking the readiness to proceed with the proposed project, the county included a Board of Supervisors' resolution doing the following: 1) identifying and authorizing an adequate amount of available matching funds to satisfy the counties' contribution, 2) approving the forms of the project documents deemed necessary, as identified by the board to the BSCC, to effectuate the financing authorized in SB 863 3) and authorizing the appropriate signatory or signatories to execute those documents at the appropriate times. The identified matching funds in the resolution shall be compatible with the state's lease revenue bond financing. Additionally see Section 6 "Board of Supervisors' Resolution" for further instructions.

☒ **This proposal includes a Board of Supervisors' Resolution that is attached and includes language that assures funding is available and compatible with state's lease revenue bond financing. See below for the description of compatible funds.**

**County Cash Contribution Funds Are Legal and Authorized.** The payment of the county cash contribution funds for the proposed adult local criminal justice facility project (i) is within the power, legal right, and authority of the County; (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; and (iii) have been duly authorized by all necessary and appropriate action on the part of the governing body of the County.

**No Prior Pledge.** The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County. In addition, the county cash contribution funds and the

Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds.

Authorization to Proceed with the Project. The Project proposed in the County's SB 863 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 863 Financing Program.

**C. California Environmental Quality Act (CEQA) compliance**

Has the county completed the CEQA compliance for the project site?

☒ **Yes. If so, include documentation evidencing the completion (preference points).**

☐ **No. If no, describe the status of the CEQA certification.**

**D. Budget Summary Table (Report to Nearest \$1,000)**

LINE ITEM	STATE REIMBURSED	CASH CONTRIBUTION	IN-KIND CONTRIBUTION	TOTAL
1. Construction	\$38,293,000.00	\$0.00		\$38,293,000.00
2. Additional Eligible Costs*	\$1,175,000.00	\$207,000.00		\$1,382,000.00
3. Architectural	\$215,000.00	\$2,327,000.00		\$2,542,000.00
4. Project/Construction Management	\$317,000.00	\$1,215,000.00		\$1,532,000.00
5. CEQA	\$0.00	\$49,000.00		\$49,000.00
6. State Agency Fees**	\$0.00	\$141,000.00		\$141,000.00
7. Audit		\$0.00	\$20,000.00	\$20,000.00
8. Needs Assessment		\$50,000.00	\$0.00	\$50,000.00
9. Transition Planning		\$0.00	\$500,000.00	\$500,000.00
10. County Administration			\$500,000.00	\$500,000.00
11. Land Value			\$11,000.00	\$11,000.00
<b>TOTAL PROJECT COSTS</b>	<b>\$40,000,000.00</b>	<b>\$3,989,000.00</b>	<b>\$1,031,000.00</b>	<b>\$45,020,000.00</b>
<b>PERCENT OF TOTAL</b>	<b>88.85%</b>	<b>8.86%</b>	<b>2.29%</b>	<b>100.00%</b>

\* Additional Eligible Costs: This line item is limited to specified fees and moveable equipment and moveable furnishings (eligible for state reimbursement or cash contribution), and public art (eligible for cash contribution only)

\*\* For State Agency Fees: State reimbursable costs include Real Estate Due Diligence only. State Fire Marshal fees may only be claimed as cash match.

Provide an explanation below of how the dollar figures were determined for each of the budget categories above that contain dollar amounts. Every cash contribution (match) line item shall be included with a reporting of the full amount budgeted unless a line item is not an actual cash contribution project cost for the county. (In that case, indicate so below.) For each budget category explanation below, include how state financing and the county contribution dollar amounts have been determined and calculated (be specific).

**1. Construction (includes fixed equipment and furnishings) (state reimbursement/cash match):**  
Construction includes all materials and labor, bonds and insurance, contractors' fee, escalation to mid-point of construction, and construction contingency.

**2. Additional Eligible Costs (specified allowable fees, moveable equipment and furnishings, and public art)**

**a) Define each allowable fee types and the cost of each:** \$1,382,000.00 costs included are for: building permits, \$696,239; surveys: soil \$50,000; hazmat remediation, \$46,000; special inspections, \$80,000; real-estate due diligence, \$16,000; site acquisition, \$10,000; commissioning, \$40,000.

**b) Moveable equipment and moveable furnishings total amount:** Furniture, fixture, and equipment (FFE) costs are included within the eligible costs. FFE total cost is \$470,000.00. FFE costs are lower than typical, as there is substantial remodel and most of the remodeled space will have furniture being reused.

**c) Public art total amount: \$0.00**

**3. Architectural (state reimbursement/cash match): a) Describe the county's current stage in the architectural process:** Merced County has completed conceptual floor plans for the additions at the facility. The County has developed Design Development drawings for the dormitory remodel. Since the project methodology is Design-Bid-Build, Merced County is poised and ready to start the design process through approval of a second phase of a current contract with a design consultant already under contract. This will allow the County to move quickly into the design phase.

**b) Given the approval requirements of the State Public Works Board (SPWB) and associated state reimbursement parameters (see "State Lease Revenue Bond Financing" section in the RFP), define which portions/phases of the architectural services the county intends to seek state dollar reimbursement:** The current estimate of construction cost requires the architectural services to be funded as a partial cash match of \$2,327,000.00 by Merced County, as well as the County seeking \$215,000.00 in architectural services being reimbursed by state dollars. Total architectural services fees are \$2,542,000.00

**c) Define the budgeted amount for what is described in b) above:** This cost includes the full scope of services from the Architect of Record for developing and completing construction documents, bidding related services, and providing construction administration services through construction and project close-out.

**d) Define which portion/phases of the architectural services the county intends to cover with county contribution dollars:** Merced County plans to incur \$2,327,000.00 of cost in architectural services, including design and engineering fees. As the design progresses and the cost of construction become better defined, these costs may become eligible for state reimbursement.

**e) Define the budgeted amount for what is described in d) above:** Cost includes design and engineering fees.

**4. Project/Construction Management - Describe which portions/phases of the construction management services the county intends to claim as:**

**a) Cash – Project/Construction Management** includes those services, labor compliance, testing and inspection.

**b) In-Kind – N/A**

**5. CEQA – may be state reimbursement (consultant or contractor) or cash match: Cost for CEQA (Notice of Exemption) \$49,000.00**

**6. State Agency Fees – Counties should consider approximate costs for the SFM review which may be county cash contribution (match). \$141,000.00 for the state fire marshal costs and additional state agency fees which may be County cash contribution (match).**

**7. Audit of Grant - Define whether the county is intending to use independent county auditor (in-kind) or services of contracted auditor (cash) and amount budgeted: Merced County will use an independent auditor.**

**8. Needs Assessment - Define work performed by county staff (in-kind), define hired contracted staff services specifically for the development of the needs assessment (cash match): Merced County hired a consultant to review, update, and assist in writing the needs assessment; consultant cost was \$20,000.00.**

**9. Transition Planning – Define work performed by county staff (in-kind), define the staff hired specifically for the proposed project (cash match): Merced County intends to claim \$500,000.00 as in-kind match and will be performed by County staff.**

**10. County Administration – Define the county staff salaries/benefits directly associated with the proposed project. This cost is approximately 1.3% of construction costs. From previous experience, Merced County believes this percentage is within typical range. Budgeted cost is \$500,000.00, which includes a conservative dollar figure to cover the salary and full burden of benefits for the County employees assigned to work on the project through completion and close-out. The in-kind services to be performed by the County team include a project manager for administrative support following the conditional award and through project close-out and commissioning, and a full-time inspector during the construction and close-out activities. These services also include the work to be performed by a deputy county counsel in support of the project. Billing rates for all of the services to be provided by the County team are established by the Board of Supervisors on an annual basis.**

**11. Site Acquisition - Describe the cost or current fair market value (in-kind): Merced County has determined the land value as \$11,000.00, which will be used as in-kind match.**



### SECTION 3: PROJECT TIMETABLE

Prior to completing this timetable, the county must consult with all appropriate county staff (e.g., county counsel, general services, public works, county administrator) to ensure that dates are achievable. Please consult the "State Public Works Board (State Capital Outlay Process)/Board of State and Community Corrections Processes and Requirements" section, page 30 of the RFP for further information. Complete the table below indicating start and completion dates for each key event, including comments if desired. Note the required time frames for specific milestone activities in this process. The BSCC Board intends to make conditional awards at its November 2015 board meeting.

KEY EVENTS	START DATES	COMPLETION DATES	COMMENTS
Site assurance/comparable long-term possession <u>within 90 days of award</u>	11/12/15	2/10/16	
Real estate due diligence package submitted <u>within 120 days of award</u>	11/12/15	3/11/16	
SPWB meeting – Project established <u>within 18 months of award</u>	11/12/15	3/12/16	
Schematic Design with Operational Program Statement <u>within 24 months of award</u> (design-bid-build projects)	3/12/16	7/12/16	
Performance criteria with Operational Program Statement <u>within 30 months of award</u> (design-build projects)	N/A	N/A	
Design Development (preliminary drawings) with Staffing Plan	7/12/16	11/11/16	
Staffing/Operating Cost Analysis approved by the Board of Supervisors	3/12/16	11/12/16	
Construction Documents (working drawings)	11/11/16	7/12/17	
Construction Bids or Design-Build Solicitation	7/12/17	10/11/17	
Notice to Proceed <u>within 42 months of award</u>	10/11/17	1/10/18	
Construction (maximum three years to complete)	1/10/18	1/9/21	
Staffing/Occupancy <u>within 90 days of completion</u>	1/9/21	4/09/21	

## SECTION 4: FACT SHEET

To capture key information from Section 5: Narrative, applicants must complete this Fact Sheet. Minimal information is requested. Narrative information or explanations are not to be included on this Fact Sheet nor as part of the tables in this section. Explanations of what is provided in these tables may be included in the Narrative section of the Proposal Form. Proposal narratives may include reference back to one or more of these specific tables (e.g., refer to Table 4 in Section 4 Fact Sheet).

**Table 1: Provide the following information**

<b>1.</b>	<b>County general population</b>	<b>255,793</b>
<b>2.</b>	<b>Number of detention facilities</b>	<b>2</b>
<b>3.</b>	<b>BSCC-rated capacity of jail system (multiple facilities)</b>	<b>753</b>
<b>4.</b>	<b>ADP (Secure Detention) of system</b>	<b>678</b>
<b>5.</b>	<b>ADP (Alternatives to Detention) of system</b>	<b>113</b>
<b>6.</b>	<b>Percentage felony inmates of system</b>	<b>82%</b>
<b>7.</b>	<b>Percentage non-sentenced inmates of system</b>	<b>74%</b>
<b>8.</b>	<b>Arrests per month</b>	<b>813</b>
<b>9.</b>	<b>Bookings per month of system</b>	<b>811</b>
<b>10.</b>	<b>"Lack of Space" releases per month</b>	<b>68</b>

**Table 2: Provide the name, BSCC-rated capacity (RC) and ADP of the adult detention facilities (type II, III, and IV) in your jurisdiction (county)**

	<b>Facility Name</b>	<b>RC</b>	<b>ADP</b>
<b>1.</b>	Merced County Jail	189	180
<b>2.</b>	John Latorraca Correctional Facility	564	533
<b>3.</b>			
<b>4.</b>			
<b>5.</b>			
<b>6.</b>			
<b>7.</b>			
<b>8.</b>			

**Table 3: List the current offender programming in place and the ADP in each program**

<b>Pre-Trial Program</b>		<b>ADP</b>
1.	Community Supervision Programs	23
2.	Outpatient Substance Abuse Treatment (OSAE)	30
3.	Alcohol abuse treatment (AA)	30
4.	Moral Reconation Therapy (MRT)	30
5.	Anger Management	30
6.	Domestic violence awareness	30
<b>Sentences Offender Program</b>		<b>ADP</b>
1.	Community Supervision Programs	83
2.	Outpatient Substance Abuse Treatment (OSAE)	15
3.	Alcohol abuse treatment (AA)	15
4.	Moral Reconation Therapy (MRT)	15
5.	Anger Management	15
6.	Domestic violence awareness , Day Reporting Center (DRC) program	45

**Table 4: List of the offender assessments used for determining programming**

<b>Assessment tools</b>		<b>Assessments per Month</b>
1.	Static Risk/Offender Needs Guide – S.T.R.O.N.G	45
2.		
3.		
4.		
5.		
6.		

## SECTION 5: NARRATIVE

**1. Statement of Need: What are the safety, efficiency, and offender programming and/or treatment needs addressed by this construction proposal? Please cite findings from the needs assessment (through 2019) submitted with this proposal.**

The Merced County (County) Public Works Department is working with County Administration and the County Sheriff's Department (Sheriff's Department) to remodel and expand upon existing jail facilities at the John Latorraca Correctional Center (JLCC).

In September of 2014, the Sheriff's Department collaborated with CGL to complete the Merced County Jail Needs Assessment (Needs Assessment) in anticipation of applying for Senate Bill 863 (SB 863) funding in the amount of \$40,000,000.00. The Needs Assessment identifies the Sheriff's Department needs, which are cited through 2019 in an in-depth manner, and contains all elements and requirements defined by California Title 24 (Title 24).

The Sheriff's Department has put an extensive amount of resources into determining the requirements and solutions to meet the **safety, efficiency, and programming/treatment** deficiencies that presently exist at the JLCC. The Sheriff's Department and County stakeholders have decided on a plan to meet these needs as defined in the SB 863 legislative intent by remodeling the existing men's and women's dormitory housing units, doubling the size of the health care unit, adding multiple recreation yards and a centrally located programming hub with classrooms. The

additional need to be addressed by the proposed SB 863 construction is to provide a vibrant continuum-of-care approach that includes re-entry and rehabilitation programs.

The objectives of this project are to:

- Provide adequately sized and appropriately located spaces.
- Redevelop the JLCC from a concept with centralized program spaces to a facility that features self-contained-type housing units with program and support services located adjacent to the housing units.
- Provide appropriate staffing levels for supervision.
- Build upon partnerships with other County agencies and volunteer organizations to expand programming options.

The Sheriff's Department believes the key to success is providing needed programming and treatment to offenders while in custody and a continuum of care offering the same or similar treatment and programs to offenders while out of custody. The mission of the continuum-of-care approach is to address individual needs for a quality rehabilitation experience and a seamless re-entry into the community. One aspect of this approach is to integrate tangible incentives for an individual's graduation from one level to the next. These incentives would be known and understood by all offenders as something they could earn. Some of these incentives would be the living and learning environment itself.

This approach will help provide the transition back into the community that has been lacking due to overcrowding and lack of program access. Having easily accessible programming and treatment space directly off the housing units will offer the offenders the best opportunity to participate and succeed. The remodeled and expanded facility

will support and expand the provision of in-custody programming and services that link offenders to community-based providers upon release from incarceration.

The California Community Corrections Program Act of 2009 makes awards to counties for reducing the frequency of probationers being revoked and committed to state prison. The County's baseline for failure rate (2006-2008) is 4.5 percent, while the statewide baseline is 7.9 percent. The County's failure rate results for 2010 (4.1 percent) and 2011 (2.9 percent) resulted in allocations of \$364,000 and \$740,000, respectively. These funds have been utilized to support evidence-based efforts, including implementation of the Static Risk and Offender Needs Guide (STRONG), as its risk and needs assessment instrument, an adult case-management system (Case-Pro), and the day reporting center (Trident Center).

In 2012, the failure rate was further reduced to 2.5 percent, establishing the Merced County Probation Department (Probation Department) as one of seven "high performance" recipients in the state. As a result, the County's allocation for 2013-2014 was \$1,675,000. Being recognized as a high performance entity demonstrates the County's ability to reduce reliance on detention through community rehabilitative efforts. The efforts of the County to become a high performer is further evidence to support the County's willingness to help shoulder the burden in reducing state prison population and recognizes the value of local rehabilitation services.

As cited in the Needs Assessment, the Sheriff's Department operates and maintains two facilities as part of its correctional system. The main jail built in 1968 in downtown Merced has a designed capacity of 189 beds (California Board of State and Community Corrections [BSCC] rated beds).

JLCC was built in 1990 and had a designed capacity of 691 beds, of which 564 are now BSCC rated beds. Changes to Title 24 requirements have caused a forced loss of bed space over the years. The willingness of the County to follow BSCC guidelines and provide appropriate offender housing and design requirements has taken precedence, as well as the Sheriff's Department trying to pre-emptively avoid litigation. JLCC houses one of the most diverse in-custody classifications, which consists of a high percentage of non-sentenced individuals.

JLCC was initially designed as a minimum-security facility, but is now being used to house medium- and maximum-security offenders. The shift in the type of offenders being housed at JLCC over the past four years is largely due to the passage of The Public Safety Realignment Act – Assembly Bill 109 (AB 109), which was signed into law in 2011. The dramatic swing from housing lower-level offenders to housing offenders serving time for more serious offenses has forced the County to change their course from a short-term sentence facility to one that provides secure housing for long-term sentences. The County has been required to take on the responsibility of housing offenders who would typically be spending their sentences incarcerated at a state correctional facility and as a result, is now responsible for providing offenders a higher level of care, programs, and treatment.

The County and the Sheriff's Department are proposing to address the most significant needs by remodeling and expanding the JLCC facility. These needs, when met, will provide the most impact to improve classification capacity, security, treatment and programming, and efficiency within the County facilities.



The Sheriff's Department is requesting scoring consideration, as the County has never received financing under AB 900 or SB 1022. Currently, the County does not have any planned construction projects to be completed in the near future.

Offenders within the Sheriff's Department jail facilities who require the most intensive medical or behavioral health care are housed at JLCC. Currently, 30 percent of those in custody are receiving psychotropic medication to assist in treating their illnesses. Offenders receive food, clothing, medical care, recreation, and religious services as part of state-mandated requirements.

The existing facility is laid out with multiple buildings in a campus style, with multiple dormitory housing units for 476 male and females, along with two housing units of cells for women and one for men, totaling 88 cells. JLCC is not a direct supervision facility, as each of its dormitory housing units is built in a linear row design and is not an efficient floor plan for housing the diverse classifications of "in-custody." This floor plan requires officers to walk along the fronts of the dormitory units, and many times to open the doors and walk into the dormitory units to have clear sight lines. The design also does not allow for clear sight lines into dormitory housing units from a central control room and provides relatively inefficient delivery of services to the offender population. There is also limited sight into the male and female cell units from a central control room, leaving many hiding places or blind spots.

The Sheriff's Department need is to introduce the proper type of in-custody housing for the offender classifications that are in the County system. Based on the available distribution of beds by classification custody levels and the existing housing units, it is evident that there is a lack of appropriate housing for moderate (Mod), high-

risk non-violent (HNR), and high-risk violent (HR) offenders.

The main jail has a total of 189 beds that are all suitable for Mod, HNR, and HR offenders. The main jail is where the most severe offender classifications—those individuals who require the most secure conditions of confinement—serve out their sentences.

With the proliferation of criminal street gangs and prison gangs, there are now at least 20 different classifications, with associations always changing. The management of the housing is very challenging at both facilities, but specifically at JLCC. For example, the open yard was previously available to most of the original 370 offenders daily. Due to contemporary classification realities and approved BSCC rated bed capacity of 564 beds, only one group can use the exercise area at a time. This results in offenders being confined to their housing dorms most of the day, isolated from not only exercise/recreation spaces, but all programming and service functions. The result is that (for the most part) offenders cannot be offered programs that could make a difference in their lives and improve our communities.

The campus plan of JLCC has a total of five exercise spaces for 564 offenders (one for females, two for lockdown, and two for all dormitories), generally located in a centralized area. This centralized location dictates that all offenders need to be escorted on a somewhat long and time-consuming walk. Offender safety and management dictate the schedule of this space. Offenders are regularly escorted to this space in relatively small groups or individually, in response to risk assessment classification. The result is that the space is not safe and is extremely inefficient.

There is a need for exercise areas to be located adjacent to the housing units in

order to increase the safety and efficiencies for both offenders and staff. The ability to provide a safer and more secure environment with easy access for recreation will also help establish a more relaxed feel, so offenders and staff can work on building a more trusting relationship. The offenders will have a good amount of time to exercise and release negative feelings about the “jail experience.” The design of the remodeled facility will relieve staff of escorting offenders to and from recreation, leaving more time for productive activities. Over time, the connection between the staff and offenders will evolve to a less aggressive and less negative relationship.

#### **Medical/Mental Health Care Space**

The number of offenders with acute medical conditions and mental health disorders has increased. The Sheriff’s Department determined that all offenders classified with mental health disorders must be housed at JLCC, where medical and mental health care is only available. Once there, many of these offenders require separation, either for their own protection or to keep them from harming others. These offenders are placed in single-occupancy cells, displacing other offenders who would handle incarceration better in a single-occupancy cell to dormitory housing, as this is the only option.

The Sheriff’s Department has decided it would be operationally more efficient to expand upon and centralize the medical/mental health care services area near the booking/intake area to manage patients, store and prepare medicines for delivery, and provide a room to conduct medical exams. In addition, there will be a private interview room with separate access for the clinician and the offender. This is where the offenders’ health records are initiated. Near every housing unit there will be

decentralized multi-purpose health rooms where the offenders' health inventories will be maintained. These rooms will also serve as triage when required.

In addition, the Sheriff's Department will have designated space in the new health care building for behavioral health court and Affordable Care Act (ACA) staff to meet with offenders. This designated space will allow staff to better access and meet with offenders to address specific needs.

County Mental Health and the County Human Services Agency will be able to meet with offenders on site at the health care unit and will be able to provide offenders benefits to assist them upon their release. For more than a year, the County has been working with Alliance, a locally governed non-profit health plan that provides reliable, affordable medical care to offenders. Alliance provides a 30-day supply of psychotropic medications to make sure offenders are medication-compliant upon leaving the facility, improving the probability of success upon re-entry into the community. The County also contracts with California Forensic Medical Group to help manage offender care.

**2. Scope of Work: Describe the areas, if any, of the current facility to be replaced or renovated, and the nature of the renovation, including the number of cells, offices, classrooms or other programming/treatment spaces to be replaced or added and the basic design of the new or renovated units.**

The following components are all critical to the overall success of offenders receiving the type of care and evidence-based treatment necessary to achieve the objective of reducing recidivism. The Sheriff's Department has put a considerable amount of time and effort into developing a plan that would meet the needs of the County, while

assuring that the design would be safe, cost-effective, and efficient from an operational standpoint.

The proposed JLCC project will involve construction of four new buildings totaling approximately 47,500 square feet (SF), including a new health care building (10,000 SF), a new programs and services building (10,000 SF), a new kitchen and laundry facility (12,000 SF), a new intake and release (9,000 SF), and administration building (6,500 SF) sized only to support what is minimally required to operate a facility of this size. The following shows a more descriptive outline of the remodeling and expansion to take place at JLCC:

- A new health care building will be constructed as part of Building 100 (with additional remodeling described below).
- A new programs and services building will be constructed in the center of Buildings 400, 500, and 600 (providing eight new classrooms, three new multi-purpose rooms, and housing unit exam rooms).
- Existing structures (Buildings 100, 300, 400, 500, and 600) will be remodeled and upgraded. Building 1 will have 6,000 SF remodeled to a health care facility. Buildings 300, 400, 500, and 600 will be remodeled to “harden” interior construction, making the dorms more secure and able to handle classification flexibility.
- A new kitchen and laundry facility will be constructed on the northern portion of the campus. It will require the removal of a small wing of an existing building and be largely constructed over an existing parking lot.

The remodeled spaces mentioned above will enable the much-needed separation between classifications, allowing those with similar security and program needs to be housed and receive programming and treatment together. This creates a safer environment for all classifications and allows offenders to receive the type of programming and treatment needed during their incarceration.

The expanded programming and treatment areas will allow offenders access to more evidence-based programming and other forms of treatment. These program areas will be located directly adjacent to the housing units. The design of this facility will optimize safety, security, and efficiency by not mixing offender classifications, while still allowing all classifications the necessary space to receive programming and treatment.

The increase in programming space will allow the County's current evidence-based treatment (which is currently having great success through the Trident Center), to be expanded to the inside of the jail facility. Statistics show that the sooner the programs begin inside and continue uninterrupted to the outside upon release, the greater the reduction in failure rates. As stated previously, the County is recognized as a "high performer" and is looking forward to improving upon its system by the increased program space that will be added through the SB 863 project.

The new health care unit will also have its own programming and treatment space specific to addressing the medical/mentally ill population. The health care unit will consist of 30 single cells with a place for small group or individual therapy. Offenders housed in the new health care unit will have direct access to the adjacent recreation yard. Behavioral health court and a dedicated staff will have better access to offenders that are classified as mentally ill.

In addition to the new health care unit, the remodeling and hardening of the dormitory units that house general population is of key importance to providing safety, security, and efficiency. The dormitories have many security issues, including outdated and non-secure commercial door hardware, window glazing, unsecure wall material such as sheetrock, and porcelain bathroom fixtures. Offenders also have access to hiding contraband in the lighting fixtures on the ceilings by standing on bunks, as well as putting holes in the sheetrock to access the adjacent housing unit. The hardening of the dormitory units will not increase the capacity of JLCC, but will allow the County to fully utilize all beds within the dormitory units.

The Sheriff's Department believes the scope of work described is a feasible plan that meets the legislative intent in renovating existing and unsafe housing capacity and providing adequate space for the provision of treatment and rehabilitation services, including mental health treatment.

**3. Programming and Services. Describe the programming and/or treatment services currently provided in your facility. Provide the requested data on pretrial offenders and risk-based pretrial release services. Describe the facilities or services to be added as a result of the proposed construction; the objectives of the facilities and services; and the staffing and changes in staffing required to provide the services.**

With the passage of AB 109, the County has taken on the responsibility of housing offenders with sentences as long as 17 years. Typically, offenders with sentences beyond one year would spend their sentences incarcerated at a state correctional facility. As a result, the County is now responsible for providing a higher level of care,



programs, and treatment. To meet the evidence-based programs, the County has added positions and rehabilitation services to supervise and account for offenders released under AB 109's new authority.

The County has long operated numerous programs to keep low-end misdemeanants out of custody while fulfilling their sentencing obligations. After AB 109's passage, the County programs/treatment were expanded to meet the needs of the new population. In 2013, the County unveiled a new one-stop shop, the Trident Center, to provide various services to County jail offenders released under the guidelines established by AB 109.

The Trident Center houses staff from multiple agencies: sheriff's deputies and corrections officers, probation officers, and human services and mental health officials, in addition to collaborating with other community-based agencies. Dubbed the "Trident Center" because of its three-pronged vision, the County hopes it will be a template for the rest of California.

The three prongs of the approach are public safety, reduced recidivism through rehabilitation, and alternatives to custody. Previously, after being released under AB 109, the offenders on electronic monitoring or home confinement often had to travel across town to access the various agencies that monitor and serve them. By bringing all programs to one destination at the Trident Center, the process becomes more effective.

The Sheriff's Department will be using the Trident Center philosophy at the new JLCC centralized treatment programming building. The approach is to provide offenders a continuum of care and the opportunity to partake in the same or similar treatment and programming while in custody at the remodeled facility, as well as at the Trident Center when out of custody. The County Community Corrections Partnership (CCP) recently

budgeted \$250,000 towards providing programs from the Trident Center at JLCC. This commitment by the CCP was made, even though the space at JLCC is limited to one treatment and programs room.

The original intent of dormitory housing was to house offenders with a minimum security classification. The dormitories are rectangle-shaped buildings that house 476 offenders, with no direct access to treatment and programs or recreation. The entire facility only has two classrooms for offenders to participate in programming and treatment. The two men's recreation yards are shared by all male housing units, and females have one recreation yard to share amongst all women's housing units. All offenders must be escorted to and from the programs classrooms and the recreation yard. The large programs classroom reaches capacity at 15 offenders at any one time, while the other small room used for programs reaches capacity at 5 offenders or fewer. With only two classroom spaces available for programming and treatment, this severely limits offenders to how many classes can be taken during their sentences at JLCC.

The idea of the proposed project is to provide a centralized programming and treatment unit where each classification of offenders will have access from their housing unit to their own recreation yard, as well access to centralized programming and treatment classrooms. These specific changes to design will address separation of classifications while providing offenders a safe place to learn and receive treatment and programs. Many of the programs to be offered to in-custody offenders at JLCC will be programs that will be offered to the out-of-custody at the Trident Center.

## **Update on AB109 Programs and Activities**

**The Trident Center:** The Trident Center is occupied by employees of the Sheriff's Department, Probation Department, County Human Services Agency, and County Mental Health. Through evidence-based practices, the multi-disciplinary effort employs a three-pronged approach: (1) public safety, (2) reduced recidivism through rehabilitation, and (3) alternatives to incarceration. With the amount of programming and treatment already offered by the multiple agencies involved, the ability to truly offer a continuum of care will be realized.

Please note that the programs highlighted in bold will be offered at the Trident Center as well as the new JLCC programming and treatment unit. Client services include the following on site or through referrals:

- Flash incarceration for violating program rules and court orders
- Alternative sanctions through GPS monitoring
- Community supervision
- Warrant reduction
- Literacy referrals (library-held at the County library)
- PACT re-entry meeting representation (County Human Services Agency, County Mental Health, Probation Department, County Department of Child Support Services, *Workforce Investment Act*)
- **Dynamic risk and need assessments**
- **Release from custody assessments**
- **Pretrial release supervision and case planning**
- **Drug testing**

- **Alcohol and other drug counseling (County Mental Health)**
- **Leadership for Life (County Human Services Agency-see description below)**
- **Child Support Coordination Efforts (County Child Support Services)**
- **Employment Testing (County Workforce Investment)**
- **Behavioral Health Client Services (County Mental Health)**
- **Medical/ACA enrollment**

**Leadership for Life:** "L4L" was developed by County Human Resource Agency Director, Ana Pagan, and is facilitated by employees of that agency and the Probation Department. Facilitators provide an array of one-stop-shop services, including life skills, cognitive therapy, education and career assessments, referrals to homeless assistance, Section 8 housing assistance, general relief/food stamps, parenting skills, and assistance with obtaining driver's licenses.

**Day Reporting Centers (Cities of Merced and Los Banos):** Behavioral Interventions, Inc. (Behavioral Interventions) continues to serve up to 90 clients with intensive rehabilitative treatment, educational services, and cognitive behavioral therapy. Identified in the 2013-2014 CCP plan, a westside day reporting center (DRC) was opened in the City of Los Banos in 2014.

**Behavioral Health Court:** The specialty court commenced in April 2012. The Probation Department's behavioral health caseload currently has 30 clients with mental health diagnoses. The court is staffed by the Merced Superior Court (including bench), the Probation Department, County Mental Health, County District Attorney, and County Public Defender employees.

**Residential Treatment:** The community social model advocates for long-term residential treatment for male and female clients with acute drug and alcohol diagnoses. The contract reserves 3,200 bed-days per year for adult clients.

**In-Custody Risk and Need Assessments:** The Static Risk Offender Needs Guide (STRONG) was fully implemented in fiscal year 2012-2013. As noted in Section 4, Fact Sheet, Table 1, Item 7, the percentage of offenders on pretrial status was 74 percent between January 1, 2013 and December 31, 2013. Probation officers conduct the assessment on all incoming clients. A probation officer is assigned to the jail facilities to conduct the assessments, which enables probation officers to assign clients to services that fit their individual needs and to the most-appropriate levels of supervision.

**Flash Incarceration and Alternative Sanctions:** Clients in violation of conditions of supervision continue to be subject to up to 10 days in custody as an alternative to long-term sentences when violations are less serious. In addition to flash incarceration, officers are utilizing options such as GPS monitoring and community service when violations are of a less serious nature.

**Warrant Reduction Advocates Program:** The program commenced in fall 2014, as part of a contract with Behavioral Interventions. A Behavioral Interventions program facilitator serves as a nexus between the Probation Department and clients at risk of being returned to court/jail for violations of probation. Modeled after the highly successful Santa Cruz County program, it is anticipated that this effort will reduce the number of offenders being held in custody under pretrial status.

**Jail Re-Entry Program:** The program, which is facilitated by Behavioral Interventions, commenced in July 2014. It provides a wide array of rehabilitative,

cognitive, and educational services not unlike those provided in the community DRCs. The program has already demonstrated success toward reducing expensive jail bed-days and supporting clients in transitioning from jail to community services.

**Jail Pretrial Supervision Program:** Probation and the Sheriff's Department continue to collaborate on a program intended to reduce the number of incarcerated individuals pending adjudication. Deputy probation officers utilize a nationally-recognized release assessment to determine which individuals are most likely to await adjudication without reoffending. Individuals in the program are supervised by the Sheriff's Department and are open to services offered within the Trident Center and DRCs.

**Adult Services Committee:** Formerly known as the Re-Entry Sub-Group of the CCP, the Adult Services Committee meets quarterly and welcomes all members of the CCP, concerned citizens, County service providers, and community-based organizations. Serving as official CCP meetings, the Adult Services Committee complies with Brown Act requirements, e.g., public posting in County administration locations and on the Probation Department's website. The meetings serve several functions, not limited to the following: reporting back on program outcomes and progress by Probation Department personnel, providing an opportunity for program facilitators to provide updates, information on related community activities, notices concerning program transition celebrations, consultation from County service providers, and the opportunity for citizens to receive information and provide feedback concerning County CCP programs.

Initiated by the CCP, the intent of the program is to conduct educational and employment readiness assessments for clients who are either in or out of jail. The objective is to identify career fields, career interest, and training and educational needs. The Probation Department, County Human Services Agency, County Workforce Investment, County Office of Education, and the Sheriff's Department will be the collaborating agencies.

### **2015/2016 Program Enhancements**

#### **Re-entry and Rehabilitation Program Expansion**

Through a contract with Behavioral Interventions, in 2014 the CCP successfully implemented a DRC in Los Banos to serve the "westside" clients of the County and a jail re-entry program located at JLCC. Additionally, five DRC slots in the City of Merced were reserved for the Sheriff's Department to place clients transitioning from the jail re-entry program to the community. The recent Needs Assessment involving staff and administrators of the Sheriff's and Probation Departments concluded the following three primary expansion needs for 2015-2016:

1. Provide one substance abuse therapist for jail re-entry programs.
2. Expand the Merced DRC for jail transition clients by 10, for a total of 70.
3. Expand the "Westside" DRC by 5, for a total of 25.

Sheriff's Department security personnel are demonstrating a cultural shift that was unthinkable prior to the implementation of AB 109. Administrators and many correctional officers have embraced the core philosophies of evidence-based practices and the impact of treatment versus punishment. Due to the increased involvement of correctional officers engaging clients in their treatment regimens, serving as nexuses to



program facilitators and collecting and evaluating program outcomes, the need for a dedicated correctional officer to serve in a lead capacity has become evident. The role of the officer will be to serve all aforementioned roles in addition to educating and involving other correctional officers in rehabilitative programming for detained clients. The officer will work hand-in-hand with the assigned deputy probation officer and will serve on the Adult Services Committee of the CCP. Expectations will also include that the officers evaluate and report back on the progress of participants and overall program outcomes.

#### **2015-2016 Program Enhancements Summary**

- Dedicate an additional \$250,000 for expanded jail re-entry, transition, and rehabilitative community and in-custody programs.
- A Sheriff's Department correctional officer will serve as jail re-entry coordinator.

#### **Pretrial Data - Special Factors**

The Sheriff's Department currently supervises offenders on a court-ordered pre-trial supervision program after a recommendation is made by the Probation Department. The current system will be greatly enhanced with the utilization of the VPRAI (Virginia Pretrial Assessment Instrument). This pretrial assessment tool can be administered by the Probation Department or Sheriff's Department personnel.

The Sheriff's Department is committed to the use of the evidenced-based VPRAI to classify offenders for housing placement. The concept is to ask a few key questions and generate a one-page report for each client. This is a practical, data-driven approach to the complex classification process.

The County's system has a larger pretrial population than sentenced population. Many programs, such as anger management, have a six-week curriculum. Pretrial offenders are "in and out" of the system typically in a little over a month. It is difficult to create treatment and educational programs for short-term offenders. The consequence of having a facility that has limited access to program spaces along with a short-term population, is a functional collapse of the ability of the correctional system to have a positive impact on incarcerated offenders.

The main goal is to "have a seamless transition from in-custody to out-of-custody offenders." The Probation Department is committed to the use of an evidenced-based risk/needs assessment tool, STRONG. The approach to STRONG is as follows:

1. Deliver more predictive assessment tools and improved classification of offenders.
2. Increase accuracy in identifying which incarcerated offenders are awarded early release.
3. Increase staff and offender programming and treatment through the use of organized, efficient, and collaborative supervision plans that could be measured for specific outcomes.

There are two components to the assessment process: The first is a 26-item static risk assessment focused entirely on static factors and used solely to classify offenders into these categories:

- Low Risk Moderate Risk
- High-Risk Property
- High-Risk Drug

- **High-Risk Violent**

The tool measures certain key characteristics as predictors of recidivism: (1) demographics, and (2) adult sentence violations resulting in confinement. Once the classification has been made, the highest-risk offenders receive the offender's needs assessment. Each of the individuals assessed will have unique risk and protective factors that need to be identified and taken into account when staff begins to plan change. STRONG is based upon a broad social learning theory of criminal conduct supported by evidence-based practices and professional expertise. It includes 55 items that gather information related to offender characteristics, circumstances, and attitudes. Currently, a classifications officer and a probation officer work together at booking/intake to begin the classification process. The Probation Department does not partake in the classification process, but many times is involved with the individual early on in the booking process in Merced County facilities. This will also be the case in the consolidated facility at JLCC.

It is anticipated the following housing units will be available:

1. Intake housing
2. Medical/mental health housing
3. General population
4. Maximum security
5. Minimum security

## **Current Program Successes**

The success stories of the County revolve around out-of-custody offender programs. The main goal for the new facility is to create “a seamless transition from in-custody to out-of-custody offenders.” Having the opportunity to introduce the County in-custody population to programs they can transition into once they are able is seen as a huge step in making these programs an even bigger success:

- Narcotics Anonymous
- Alcoholics Anonymous
- GED classes
- English classes
- Napa and Atascadero State Hospital Mental Health Programs
- Trident Center, Sheriff's Department Community Supervision Program
- Pretrial Release Program
- Behavioral health court
- Adult drug court
- Flash incarceration and alternative sanctions

The newly remodeled and expanded JLCC will be a collaborative effort among the Sheriff's Department, Probation Department, and community-based partners that will provide the ability to enjoin pre- and post-release programs for offenders. The goal is to improve public safety, reduce recidivism, and provide the continuum of resources for a successful re-entry into the community as well as the tools to complete a successful period of community supervision.

*Programmatic Mission:* The mission of the JLCC will be to provide focused and program-intensive services for sentenced individuals eligible for program participation, aimed at facilitating a quality rehabilitative model and a seamless re-entry process according to evidence-based practices.

*Guiding Principles:* The following guiding principles have been developed to strengthen and enhance the Sheriff's Department mission statement:

- Use of validated risk/needs assessment instruments to identify criminogenic needs and to reduce risk of re-offending
- Development of individualized program plans as soon as possible upon admission into the facility
- Use of evidence-based programs that target criminogenic factors such as substance abuse, cognitive behavioral therapy, education, and employment to increase the successful transition into the community
- Maintenance of a multifaceted approach to effectively address offenders' unique and varied needs
- Release readiness and preparing offenders for transition to the local community, while developing links with needed community resources, pro-social supports, and/or family
- Development of performance measures and continued outcomes evaluation

## **Staffing**

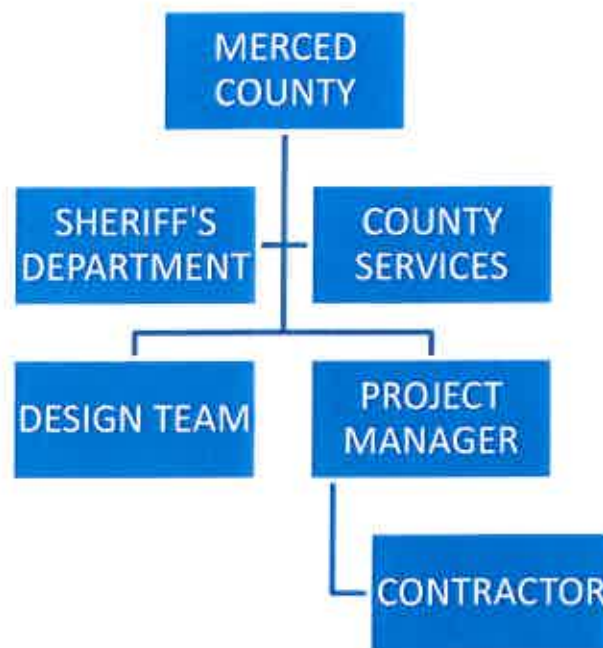
The Sheriff's Department has spent a considerable amount of resources analyzing the appropriate staffing levels, and the County is committed to funding the additional staff. The following staffing increases will occur to the existing jail: Medical and mental

health services will be provided through contractual agreements with California Forensic Medical Group at appropriate staffing levels at the new remodeled and expanded JLCC. The Sheriff's Department will provide one correctional sergeant and six correctional officers. The 30-year cost for operating the new remodeled and expanded JLCC was approved by the County Board of Supervisors Resolution that is required in Section 5, Question 6 of the SB 863 RFP response.

**4. Administrative Work Plan: Describe the steps required to accomplish this project. Include a project schedule, and list the division/offices including personnel that will be responsible for each phase of the project, and how it will be coordinated among responsible officials both internally and externally.**

The project has currently gone through a substantial planning and pre-design phase, and schematic design is anticipated to begin immediately after the funding award is made. The project schedule for the County starts at the conditional award date of November 12, 2015 and runs until occupancy takes place in April of 2021. The project design is anticipated to be completed in 16 months, with release for bidding expected to occur in summer of 2017. Construction duration is expected to be approximately 36 months, with project occupancy expected to start winter of 2021 and continue into spring of 2021.

The following is the County organization chart to complete this project.



**Sheriff's Department:** The Sheriff's Department works with the design team through many steps of the planning and design process. The Sheriff's Department provides project oversight during all phases of the project and ensures design meets their requirements.

**County Services:** County officials provide project oversight during all phases of the project and ensure design meets the requirements of the Sheriff's Department as well as the project budget.

**Project Manager:** This team, hired by the County, is the hub of all construction and project management. They must monitor the project budget and schedule throughout all phases of the project.

**Design Team:** This group, hired by the County, is tasked with developing the facility and providing the required documents and specifications needed to build the new

facility. This group is made up of, but not limited to, architects, specialty design, and energy consultants.

**Contractor:** The contractor is in charge of constructing the building using the specifications and drawings prepared by the design team. The contractor must work closely with the project manager and on-site team members to ensure the project is completed as planned.

Below is a breakdown of individuals within the County working directly on this project

<b>Division</b>	<b>Personnel</b>	<b>Office</b>
County Services Team	Richard Schwarz	Department of Public Works
County Services Team	Robert Dinuzzo	Department of Public Works
Sheriff's Department	Greg Sullivan	Captain Corrections
Sheriff's Department	Richard St. Marie	Director of Admin Services
Sheriff's Department	Erin Ristine	Lieutenant Corrections
Sheriff's Department	Jason Goins	Lieutenant Corrections
Sheriff's Department	TBA	Lieutenant Corrections
Sheriff's Department	TBA	Sergeant Corrections
Sheriff's Department	TBA	Correctional Officer
Sheriff's Department	TBA	Correctional Officer



**5. Budget Narrative. Describe the amounts and types of funding proposed and why each element is required to carry out the proposed project. Describe how the county will meet its funding contribution (match) requirements for all project costs in excess of the amount of state financing requested and how operational costs (including programming costs) for the facility will be sustained.**

During the pre-design phase of the project, the County reviewed multiple design options in which project cost was a major factor in the decision-making process. Several cost estimates were completed of each option to ensure that cost effectiveness was a design and decision-making factor. Additionally, site selection took a high priority, as it has a major impact on cost effectiveness of the project. A major factor in selecting the current site was reduced costs due to the existing JLCC condition and ability to expand at the site. Also taken into account was the ability to make a physical connection not only to the building, but also to the utilities needed to support the new facility.

The seismically separated physical connection kept operational costs at a minimum, as the services needed to operate the new facility can all be provided from JLCC. Services such as food, laundry, and offender janitorial services can all be provided by offenders housed at JLCC. Being collocated to JLCC allows the Sheriff's Department to maintain a number of jail management and operational spaces within the existing JLCC administration office suite and not duplicate them within the new building design, greatly reducing the overall needed square footage. Additionally, this drastically reduced the staffing demand of the remodeled and expanded facility.

**Describe Funding**

Merced County is a medium county and is eligible to apply for \$40 million dollars of funding through the SB 863 RFP. The cost to build a jail facility is very minimal when compared to the yearly costs to operate one. Along with the Needs Assessment and careful fiscal evaluation of what size jail facility the County could maintain and operate on a yearly basis, the County decided on remodeling the JLCC. The project does not fully meet the needs identified in the Needs Assessment, but will allow the County to make substantial headway in programming and treatment of its medical/mental health, medium, and maximum populations who are in custody. **The County is seeking \$40,000,000 in funding to complete the proposed remodel and expansion of the health care unit, treatment, and programming at the JLCC.**

#### **6. Readiness to Proceed**

A. The Merced County Board of Supervisors provided a resolution matching all the requirements of SB 863, which authorized an adequate amount of available matching funds to satisfy the County's contribution. Furthermore, the resolution approved the project documents deemed necessary, as identified by the State Public Works Board to the BSCC to effectuate the financing authorized by the legislation and was authorized by the appropriate signatory to execute those documents at the appropriate times.

B. Merced County has provided within this proposal documentation evidencing CEQA compliance is complete, along with a letter from County counsel certifying the associated statute of limitations has expired and either no challenges were filed or identifying any challenges filed and explaining how they have been resolved in a manner that allows the project to proceed as proposed.

BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF MERCED, STATE OF CALIFORNIA

In the Matter of	
AUTHORIZING SUBMISSION OF AN	)
APPLICATION FOR SB 863 ADULT LOCAL	)
CRIMINAL JUSTICE FACILITIES	)
CONSTRUCTION FINANCING PROGRAM	)
TO EXPAND AND REMODEL THE JOHN	)
LATORRACA CORRECTIONAL CENTER	)

RESOLUTION NO. 2015-108 BGT

**WHEREAS**, the State of California has made a lease revenue bond financing program available to construct and renovate adult local criminal justice facilities through the SB 863 Adult Local Criminal Justice Facilities Construction Financing Program ("the SB 863 Financing Program"); and,

**WHEREAS**, eligible projects may include (1) improved housing with an emphasis on expanding program and treatment space as necessary to manage the adult offender population or (2) custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population under the jurisdiction of the sheriff or county department of corrections; and,

**WHEREAS**, the County of Merced, (the "County") has selected the John Latorraca Correctional Center (JLCC) as an appropriate site for the JLCC Remodel and Expansion Project.

**NOW THEREFORE**, the Board of Supervisors of the County of Merced resolves and orders that the Chairman of the Board of Supervisors is authorized to submit an application for state bond financing under the SB 863 Financing Program. As such the Board of Supervisors of the County of Merced does hereby represent, warrant and covenant as follows:

A. Lawfully Available Funds. The County cash contribution funds, as described in the documentation accompanying the County's SB 863 Financing Program Proposal Form, have been derived exclusively from lawfully available funds of the County.

B. County Cash Contribution Funds Are Legal and Authorized. The payment of the County cash contribution funds for the proposed adult local criminal justice facility project (the "Project") (i) is within the power, legal right, and authority of the County; (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; and (iii) have been duly authorized by all necessary and appropriate action on the part of the governing body of the County.

C. No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County; the county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of

the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustees for the Bonds.

D. Authorization to Proceed with the Project. The Project proposed in the County's SB 863 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 863 Financing Program.

**BE IT FURTHER RESOLVED AND ORDERED** that the County is seeking funding preference for its proposed project within the SB 863 Financing Program, and, therefore, makes the certifications and assurances that the funding preference criterion are satisfied as follows:

**Real Estate Due Diligence.** The County is seeking funding preference for submittal of a complete initial real estate due diligence package.

**CEQA Compliance.** The County is seeking funding preference for submittal of documentation evidencing that compliance with CEQA has been fully completed for the proposed project, and further is certifying that all related statutes of limitation have expired without challenge.

**Authorization of Project Documents.** The County is seeking funding preference associated with review of and authorization to execute the project documents required within the SB 863 Financing Program. As such, the Board of Supervisors of Merced County does hereby approve the form of the Project Delivery and Construction Agreement (PDCA), the Board of State and Community Corrections (BSCC) Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease. The Chairman of the Board of Supervisors, the County Executive Officer, and the Director of Public Works, or their designees (collectively, the "Authorized Officers") , acting alone, is hereby authorized for in the name of the County to execute, and the Clerk of the Board of Supervisors is authorized to attest, the Project Delivery and Construction Agreement, the BSCC Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease, in substantially the form hereby approved, with such additions thereto and changes therein as are required by the BSCC or the State Public Works Board to effectuate the SB 863 Financing Program and as condition to the issuance of the Bonds. Approval of such changes shall be conclusively evidenced by the execution and delivery thereof by any one of the Authorized Officers each of whom, acting alone, is authorized to approve such changes. Each of the Authorized Officers is authorized to execute these respective agreements at such time and in such manner as is necessary within the SB 863 Financing Program. Each of the Authorized Officers is further authorized to execute, acknowledge and deliver any and all documents required to consummate the transactions contemplated by the Project Delivery and Construction Agreement, the BSCC Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease. The SB 863 application procedures established by the BSCC require that the Resolution by the Board of Supervisors contain the Project Documents authorized above, and, therefore, these documents are attached as exhibits and incorporated herein, as:

- Project Delivery and Construction Agreement (PDCA) – Exhibit A
- BSCC Jail Construction Agreement – Exhibit B
- BSCC Ground Lease – Exhibit C
- BSCC Right of Entry for Construction and Operation – Exhibit D
- BSCC Facility Sublease – Exhibit E

E. Names, Titles, and Positions. For the purposes of the SB 863 financing application and any resulting design and construction, or other project phase, the following County staff will serve as key personnel for this project: Dana S. Hertfelder, P.E., Director of Public Works, shall

be designated the County Construction Administrator; Lisa Cardella-Presto, Auditor-Controller, the County's designed Project Financial Officer; and Greg Sullivan, Sheriff Captain, shall be designated as the Project Contact Person.

F. Authorization To Sign. The Chairman of the Board of Supervisors is authorized to sign the SB 863 Adult Local Criminal Justice Facilities Construction Program Application's Agreement, and to submit the proposal for funding.

G. Adherence To State Requirements. The County hereby assures that it will adhere to state requirements and terms of the agreements between the County, the Board of State and Community Corrections and the State Public Works Board in the expenditure of any state financing allocation and County contribution funds.

H. County Appropriated Funds. The County hereby assures that it has appropriated \$3,989,000 in available matching funds to satisfy the County's contribution identified by the County on the financing program proposal form submitted to the Board of State and Community Corrections; the identified matching funds are compatible with the state's lease revenue bond financing; and assures that the cash match contribution does not supplant (replace) funds otherwise dedicated or appropriated for construction activities.

I. Staffing Assurance. The County certifies that it will safely staff and operate the facility being constructed (consistent with Title 15, Chapter 1, Subchapter 6, section 1756 (j) 5) of the California Code of Regulations) within ninety (90) days after project completion. The County further agrees to operate, maintain and repair the facility until the State bonds are fully repaid.

J. Site Assurance. The County certifies that the following site assurance for the County facility will be provided at the time of proposal or no later than 90 days following the Board of State and Community Corrections' Notice of Intent to Award: 1) The County has project site control through either fee simple ownership of the site or comparable long-term possession of the site and right of access to the project sufficient to assure undisturbed use; and (2) will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of the facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Board of State and Community Corrections for so long as the SPWB lease-revenue bonds secured by the financed project remain outstanding.

K. Appraised Value. The County attests that the current fair market land value of the County-owned property for the proposed JLCC Remodel and Expansion Project is \$11,000. This can be claimed for on-site land value for new facility construction, on-site land value of a closed facility that will be renovated and Senate Bill 863, Proposal Instructions 15 6/10/2015 reopened, or on-site land value used for expansion of an existing facility. It cannot be claimed for land value under an existing operational facility. (If claimed as in-kind match, actual on-site land value documentation from an independent appraisal will be required as a pre-agreement condition.)

L. Funding Preference. The state will give preference to those counties that are most prepared to proceed successfully with this financing in a timely manner. The two preferences have been met by the County are as follows: (A.) The County has provided (1) a board resolution authorizing an adequate amount of available matching funds to satisfy the counties' contribution (2) approving the forms of the project documents deemed necessary, as identified by the board (SPBW) to the BSCC, to effectuate the financing authorized by the legislation, 3) authorizing the appropriate signatory or signatories to execute those documents at the appropriate times. The matching funds mentioned in the resolution shall be compatible with the state's lease revenue bond financing; and (B.) The County has provided documentation evidencing CEQA compliance has been completed.

M. Project Description: The components of the County of Merced SB 863 plan are:

- 1) Upgrade and expansion of all necessary infrastructure to support the project including secondary fencing and potable water well and storage.
- 2) Remodeling existing dormitory space to bring the structures up to current code requirements and increase the security of the dormitory housing units.
- 3) Construction of a new programs and services building to provided needed program space.
- 4) Construction of a new sally port, intake and release, and administration building with video visitation.
- 5) Construction of a new kitchen and laundry facility.
- 6) Construction of a Medical/Mental Health building addition to the existing administration building.

I, JAMES L. BROWN, Clerk of the Board of Supervisors of the County of Merced, do hereby certify that the foregoing resolution was regularly introduced, passed and adopted by said Board at a regular meeting thereof held on 18<sup>th</sup> day of August, 2015 by the following vote:

SUPERVISORS:

AYES: John Pedrozo, Hub Walsh, Daron McDaniel, Deidre F. Kelsey,  
Jerry O'Banion

NOES: None

ABSENT: None

WITNESS my hand and the Seal of this Board this 18<sup>th</sup> day of August, 2015.

JAMES L. BROWN, CLERK

By

Candace Hamil

Deputy



BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF MERCED, STATE OF CALIFORNIA

In the Matter of  
AUTHORIZING SUBMISSION OF AN )  
APPLICATION FOR SB 863 ADULT LOCAL )  
CRIMINAL JUSTICE FACILITIES )  
CONSTRUCTION FINANCING PROGRAM )  
TO EXPAND AND REMODEL THE JOHN )  
LATORRACA CORRECTIONAL CENTER )

RESOLUTION NO. 2015-108 BGT

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**WHEREAS**, eligible projects may include (1) improved housing with an emphasis on expanding program and treatment space as necessary to manage the adult offender population or (2) custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population under the jurisdiction of the sheriff or county department of corrections; and,

**WHEREAS**, the County of Merced, (the "County") has selected the John Latorraca Correctional Center (JLCC) as an appropriate site for the JLCC Remodel and Expansion Project.

**NOW THEREFORE**, the Board of Supervisors of the County of Merced resolves and orders that the Chairman of the Board of Supervisors is authorized to submit an application for state bond financing under the SB 863 Financing Program. As such the Board of Supervisors of the County of Merced does hereby represent, warrant and covenant as follows:

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C. No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County; the county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of

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F. **Authorization To Sign.** The Chairman of the Board of Supervisors is authorized to sign the SB 863 Adult Local Criminal Justice Facilities Construction Program Application's Agreement, and to submit the proposal for funding.

G. **Adherence To State Requirements.** The County hereby assures that it will adhere to state requirements and terms of the agreements between the County, the Board of State and Community Corrections and the State Public Works Board in the expenditure of any state financing allocation and County contribution funds.

H. **County Appropriated Funds.** The County hereby assures that it has appropriated \$3,989,000 in available matching funds to satisfy the County's contribution identified by the County on the financing program proposal form submitted to the Board of State and Community Corrections; the identified matching funds are compatible with the state's lease revenue bond financing; and assures that the cash match contribution does not supplant (replace) funds otherwise dedicated or appropriated for construction activities.

I. **Staffing Assurance.** The County certifies that it will safely staff and operate the facility being constructed (consistent with Title 15, Chapter 1, Subchapter 6, section 1756 (j) 5) of the California Code of Regulations) within ninety (90) days after project completion. The County further agrees to operate, maintain and repair the facility until the State bonds are fully repaid.

J. **Site Assurance.** The County certifies that the following site assurance for the County facility will be provided at the time of proposal or no later than 90 days following the Board of State and Community Corrections' Notice of Intent to Award: 1) The County has project site control through either fee simple ownership of the site or comparable long-term possession of the site and right of access to the project sufficient to assure undisturbed use; and (2) will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of the facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Board of State and Community Corrections for so long as the SPWB lease-revenue bonds secured by the financed project remain outstanding.

K. **Appraised Value.** The County attests that the current fair market land value of the County-owned property for the proposed JLCC Remodel and Expansion Project is \$11,000. This can be claimed for on-site land value for new facility construction, on-site land value of a closed facility that will be renovated and Senate Bill 863, Proposal Instructions 15 6/10/2015 reopened, or on-site land value used for expansion of an existing facility. It cannot be claimed for land value under an existing operational facility. (If claimed as in-kind match, actual on-site land value documentation from an independent appraisal will be required as a pre-agreement condition.)

L. **Funding Preference.** The state will give preference to those counties that are most prepared to proceed successfully with this financing in a timely manner. The two preferences have been met by the County are as follows: (A.) The County has provided (1) a board resolution authorizing an adequate amount of available matching funds to satisfy the counties' contribution (2) approving the forms of the project documents deemed necessary, as identified by the board (SPBW) to the BSCC, to effectuate the financing authorized by the legislation, 3) authorizing the appropriate signatory or signatories to execute those documents at the appropriate times. The matching funds mentioned in the resolution shall be compatible with the state's lease revenue bond financing; and (B.) The County has provided documentation evidencing CEQA compliance has been completed.

M. Project Description: The components of the County of Merced SB 863 plan are:

- 1) Upgrade and expansion of all necessary infrastructure to support the project including secondary fencing and potable water well and storage.
- 2) Remodeling existing dormitory space to bring the structures up to current code requirements and increase the security of the dormitory housing units.
- 3) Construction of a new programs and services building to provided needed program space.
- 4) Construction of a new sally port, intake and release, and administration building with video visitation.
- 5) Construction of a new kitchen and laundry facility.
- 6) Construction of a Medical/Mental Health building addition to the existing administration building.

I, JAMES L. BROWN, Clerk of the Board of Supervisors of the County of Merced, do hereby certify that the foregoing resolution was regularly introduced, passed and adopted by said Board at a regular meeting thereof held on 18<sup>th</sup> day of August, 2015 by the following vote:

**SUPERVISORS:**

AYES: John Pedrozo, Hub Walsh, Daron McDaniel, Deidre F. Kelsey,  
Jerry O'Banion

NOES: None

ABSENT: None

WITNESS my hand and the Seal of this Board this 18<sup>th</sup> day of August, 2015.

JAMES L. BROWN, CLERK

By

Candace Hamil

Deputy



# Notice of Determination

Form C

To: ☒ Office of Planning and Research

From:

Public Agency

For U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth Street

Sacramento, CA 95812-3044

Sacramento, CA 95814

Agency: Merced County Public Works Department

Address: 715 Martin Luther King, Jr. Way

Merced, CA 95341-6041

Contact: Richard A. Schwarz

Telephone: 209-385-7602

☒ County Clerk

County of: Merced

Address: 2222 M Street

Merced, CA 95340

Lead Agency (if different from above)

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

SUBJECT: **Filing of Notice of Determination in Compliance with Section 21108 or 21154 of the Public Resources Code**

State Clearinghouse Number (if submitted to State Clearinghouse): 2015061010

Project Title: John Latorraca Correctional Center Expansion (Revised Initial Study)

Project Location (include county): 2584 W Sandy Mush Road, Merced, CA

**Project Description:** Merced County Public Works Department (County) is working with Merced County Administration and the Merced County Sheriff's Department to construct new County jail buildings and remodel adjacent existing jail facilities at John Latorraca Correctional Center (JLCC). The proposed new and remodeled facilities will occur entirely within the existing JLCC property. It includes construction of four new buildings including a program and services building, intake/transfer/administration building, two-story jail, and kitchen and laundry building. The County will also remodel existing dormitory space and upgrade infrastructure, including adding a new well, water tank and resized wastewater line, to accommodate the expansion.

This is to advise that

Merced County Board of Supervisors

☒ **Lead Agency** or ☐ **Responsible Agency** has approved the above-described project on July 21, 2015 and has made the following determinations regarding the above-described project:

1. The project ☐ *will* ☒ *will not* have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ *were* ☐ *were not* made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ *was* ☐ *was not* adopted for this project.
5. A Statement of Overriding Considerations ☐ *was* ☒ *was not* adopted for this project.
6. Findings ☒ *were* ☐ *were not* made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: Merced County Public Works Department, 715 Martin Luther King, Jr. Way, Merced, CA

Richard A. Schwarz  
Signature (Public Agency)

Assistant Public Works Director

Title

July 21, 2015

Date

Date received for filing at OPR: \_\_\_\_\_

Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21000-21174, Public Resources Code.

Assistant County Counsel  
Deanne H. Peterson

Chief Civil Litigator  
Roger S. Matzkind



OFFICE OF THE COUNTY COUNSEL  
JAMES N. FINCHER  
County Counsel

Deputies  
James E. Stone  
Kimberly R. Helms  
Forrest W. Hansen  
Thomas E. Ebersole  
Michael R. Linden

August 21, 2015

Board of State and Community Corrections  
County Facilities Construction Program  
2590 Venture Oaks Way, Suite 200  
Sacramento, CA 95833

Attention: Magi Work, Deputy Director (A)

Re: County of Merced John Latorraca Correctional Center Expansion  
CEQA Certification

Dear Ms. Work:

This letter is to certify that a Notice of Determination (NOD) for the above subject project was filed on July 21, 2015 with the Merced County Clerk. The associated statute of limitations has expired and no challenges were filed.

Very truly yours,

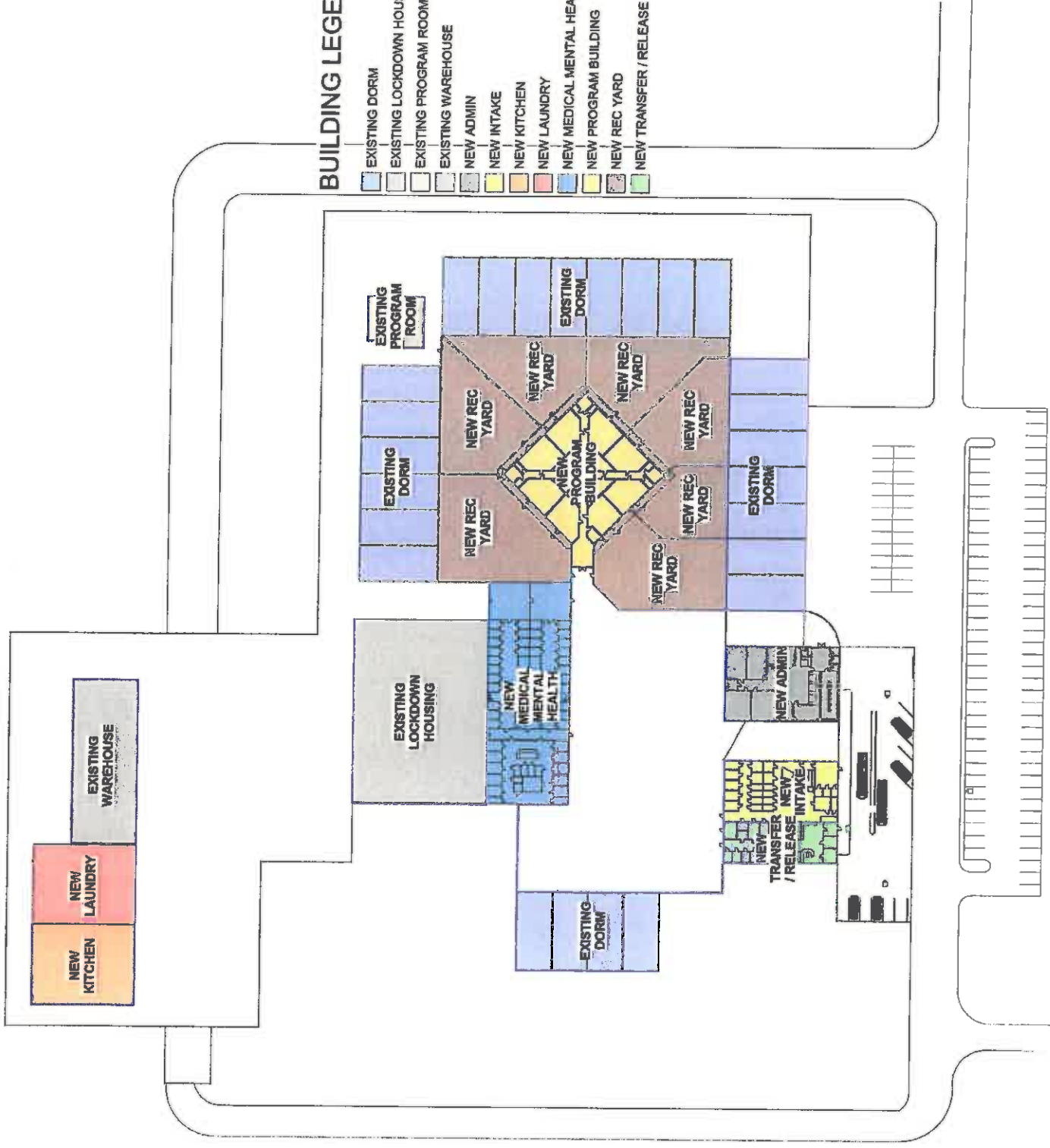
Merced County Counsel

James N. Fincher  
County Counsel

JNF/mm

# BUILDING LEGEND

- EXISTING DORM
- EXISTING LOCKDOWN HOUSING
- EXISTING PROGRAM ROOM
- EXISTING WAREHOUSE
- NEW ADMIN
- NEW INTAKE
- NEW KITCHEN
- NEW LAUNDRY
- NEW MEDICAL MENTAL HEALTH
- NEW PROGRAM BUILDING
- NEW REC YARD
- NEW TRANSFER / RELEASE



JOHN LATORRACA CORRECTIONAL FACILITY  
PROPOSED SB 863 PROJECT SITE

- ROOMS**
- CLASSROOM
  - EXAM ROOM
  - HEALTHCARE YARD
  - JANITOR CLOSET
  - MECHANICAL ROOM
  - MULTI-PURPOSE ROOM
  - REC YARD
  - TEL/DATA/IT

